



City of Huntington Beach Planning Department
STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning
BY: Andrew Gonzales, Assistant Planner *AG yhf*
DATE: September 9, 2008

SUBJECT: **APPEAL OF THE ZONING ADMINISTRATOR'S APPROVAL OF COASTAL DEVELOPMENT PERMIT NO. 07-018 AND CONDITIONAL USE PERMIT NO. 07-044 (HERMAN RESIDENCE – Continued from the June 24, 2008)**

APPLICANT: Greg Howell, 20561 Suburbia Lane, Huntington Beach, CA 92646

APPELLANT: John Scandura, Planning Commissioner

PROPERTY

OWNER: Stephen Herman – Falkland Investment Trust, 3292 Falkland Circle, Huntington Beach, CA 92649

LOCATION: 3292 Falkland Circle, 92649 (terminus of Falkland Circle., east of Channel Lane – Admiralty Island)

STATEMENT OF ISSUE:

- ♦ Coastal Development Permit No. 07-018 request:
 - To demolish an existing single-family dwelling and construct an approximately 5,196 sq. ft., 34 ft. tall single-family dwelling with a 640 sq. ft. attached garage.
- ♦ Conditional Use Permit No. 07-044 request:
 - To construct a new residence with an approximately 646 sq. ft. third floor habitable area and an approximately 48 sq. ft. third story deck.
 - To construct a new residence with an overall building height exceeding 30 ft. (max. 35 ft.).
- ♦ Staff's Recommendation:

Approve Coastal Development Permit No. 07-018 and Conditional Use Permit No. 07-044 based upon the following:

 - The proposed project conforms with the requirements of the base-zoning district.
 - The proposed project is compatible with surrounding uses.
 - The proposed project is consistent with previous approvals for new construction within Huntington Harbor.

RECOMMENDATION:

Motion to:

- A. “Approve Coastal Development Permit No. 07-018 and Conditional Use Permit No. 07-044 with findings and suggested conditions of approval (Attachment No. 1).”

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. “Deny Coastal Development Permit No. 07-018 and Conditional Use Permit No. 07-044 with findings.”
- B. “Continue Coastal Development Permit No. 07-018 and Conditional Use Permit No. 07-044 and direct staff accordingly.”

ANALYSIS:

The Planning Commission reviewed the request on June 24, 2008, and continued the request to September 9, 2008, to address four areas of concern as expressed by the Planning Commission. The Planning Commission deliberated on the proposed project’s size and scale (mass/bulk) in comparison to the site and surrounding area and compliance with the minimum zoning code requirements. The applicant expressed their desire to continue the item to provide ample time to redesign the project to address the Planning Commissions’ concerns. The Planning Commission granted the applicant’s request and continued the item to the September 9, 2008, Planning Commission meeting.

On August 14, 2008, the applicant submitted revised plans addressing the Planning Commissions’ concerns. The following table indicates the applicant’s revised request in comparison to the original plans:

CATEGORIES	ORIGINAL PLANS Attachment No. 3.16 (Dated February 7, 2008)	REVISED PLANS Attachment No. 2 (Dated August 14, 2008)
Total Habitable Area	6,208 sq. ft.	5,196 sq. ft.
Garage	602 sq. ft.	640 sq. ft.
3 rd Floor Area	1,107 sq. ft.	646 sq. ft.
3 rd Floor Balcony	148 sq. ft.	48 sq. ft.
Lot Coverage	49.6%	43.8%
Building Height	35 ft.	34 ft.

The following issues were raised during the Planning Commission meeting in the following categories:

▪ Total Living Area (3rd floor habitable area):

Concern was raised over the total livable area of the proposed single-family residence in comparison to the existing residential neighborhood, specifically with the living (habitable) area of the proposed third floor. An inventory of homes in the Huntington Harbor area was submitted to the Planning Commission which resulted in the determination that the size of the original project

was incompatible with the surrounding neighborhood (Attachment No. 3.51). On August 14, 2008, the applicant revised the original plans which resulted in the removal of 1,012 sq. ft. of the total habitable floor area from the previously proposed floor area of 6,208 sq. ft. A portion of the living area was removed from each floor with approximately 464 sq. ft. removed from the third floor. The revised plans and reduced overall total living area is comparable to other homes in the neighborhood and Hunting Harbor area.

- **Mass/Bulk and Building Elevations:**

The Planning Commission had concerns with the overall mass and bulk of the project's original design. The Planning Commission felt that the design lacked adequate articulation of the building elevations to minimize the mass and bulk of the proposed residence. The Planning Commission recommended a break up of the building's facades by providing variable offsets, specifically along the north elevation, and contrasting building materials. The applicant redesigned the proposed residence with variations to the roofline, additional wall pop-outs and recesses, and contrasting façade materials. Along the front elevation stone wall cladding has been incorporated along portions of the ground floor and second floor balconies which aids in breaking up the mass and bulk of the home. Above the garage the second floor offset and turret feature at the entrance of the building assist in further breaking up the front façade wall. The northerly exterior elevation has been redesigned with wall offsets, varying rooflines, varying wall materials, and a cantilevered second floor that minimize the overall mass and bulk of the home and specifically the north elevation.

- **Maximum Building Height:**

As identified in the abovementioned sections, the overall height of the original design played a factor in the Planning Commission's determination that the residence was incompatible with the surrounding area. The Planning Commission recommended the applicant look at reducing the overall height approximately 2-3 feet. To further minimize the mass and bulk of the proposed home, the building height has been lowered from 35 ft. to 34 ft. which is generally located in a small section at the centermost portion of the roof of the proposed home. The remaining portions of the home will exhibit an overall building height of 30 ft. or less, consistent with the heights of surrounding single family homes.

- **Required Onsite Parking:**

The Planning Commission had concerns over the number of provided parking spaces in comparison to the overall number of bedrooms and size of the building. Of concern is that the residence will require a greater parking demand than the residence can accommodate, resulting in vehicles utilizing limited on-street parking. The proposed residence consists of four bedrooms, six bathrooms. A new home with four bedrooms requires a two-car garage with two open parking spaces. The required parking for the proposed residences will be satisfied by a 640 sq. ft. two-car garage with two open parking spaces located on the driveway in front of the garage. While the project complies with the minimum parking required, the garage provides one additional parking space in the form of a tandem parking space. The HBZSO does not allow tandem parking spaces to be counted towards the parking requirements. However, the additional space may still be used for additional parking. Therefore, it is anticipated that no potential impacts to on-street parking will occur.

Staff is recommending approval of the applicant's revised plans and design, based on the project's compliance with the direction provided by the Planning Commission, applicable code requirements, and compatibility with the surrounding neighborhood. No detrimental impacts to the surrounding neighborhood are anticipated.

ATTACHMENTS:

1. Suggested Findings and Conditions of Approval – CDP No. 07-018/ CUP No. 07-044
2. Revised Site Plan, Floor Plans and Elevations received and dated August 14, 2008
3. Planning Commission Staff Report dated June 24, 2008
4. Draft Planning Commission Minutes dated June 24, 2008
5. Letters of Opposition

SH:HF:AG:lw

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

COASTAL DEVELOPMENT PERMIT NO. 2007-018/ CONDITIONAL USE PERMIT NO. 2007-044

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project is located in an urbanized residential zone and involves the construction of a new single family dwelling.

SUGGESTED FINDINGS FOR APPROVAL – COASTAL DEVELOPMENT PERMIT NO. 2007-018:

1. Coastal Development Permit No. 2007-018 for the demolition and construction of an approximately 5,196 sq. ft. single-family dwelling with a 640 sq. ft. attached garage conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The development complies with the maximum site coverage, maximum building height, minimum yard setbacks, minimum onsite parking, and third story design criteria. A concurrent application for a conditional use permit is under review to permit a third floor habitable area, third floor deck, and an overall building height of 34 ft.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed addition will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. The development conforms to the public access and public recreation policies of Chapter 3 of the California Coastal Act. The proposed addition will not impede public access or impact public views to coastal resources.

SUGGESTED FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 2007-044:

1. Conditional Use Permit No. 2007-044 to permit an approximately 646 sq. ft. third floor living area and an approximately 48 sq. ft. third story deck with an overall building height of 34 ft. will not be detrimental to the general welfare of person working or residing in the vicinity or detrimental to the

value of the property and improvements in the neighborhood. The proposed habitable area will be located within the confines of the second story roof volume, thus minimizing mass and bulk of the structure. The overall building height is not anticipated to impact surrounding properties because the project is mainly adjacent to two-story single family residences. The proposed rooftop deck will be located at the rear of the house and oriented toward the public right-of-way to insure privacy for adjacent properties. The proposed rooftop deck is setback more than 20 ft. from adjacent residential properties, and more than five ft. from the building exterior.

2. The conditional use permit will be compatible with surrounding uses consisting of single-family homes because the three-story residence is designed to be comparable to other two-story homes in the vicinity. The home is designed as a two-story residence with the third floor habitable area and rooftop deck integrated within the confines of the second story roof. The habitable area and rooftop deck is contained within the second floor roof volume with the orientation of the deck toward the Shelter Channel and sufficiently setback from the building exterior to insure privacy for adjacent properties.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The project complies with maximum lot coverage, minimum building setbacks, and maximum building height. An overall building height of 34 ft., third floor habitable area, and third floor deck are allowed in the base zoning district with approval of a conditional use permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL-7 (Low Density Residential—7 units per acre) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

Policy 9.2.1: Require that all new residential development within the existing residential neighborhoods (i.e., infill) be compatible with existing structures, including the:

- a. Maintenance of the predominant or median existing front yard setbacks;
- b. Use of building heights, grade elevations, orientation and bulk that is compatible with the surrounding development.
- c. Use of complementary building materials, colors and forms, while allowing flexibility for unique design solutions.
- d. Maintenance of privacy on abutting residences.

The proposed project complies with the following General Plan policies because the project employs variations in form such as variable rooflines and building pop-outs, contrasting exterior finishes, building details such decorative doors and windows, and building siting in order to create visual interest. The architectural elements of the residence which includes windows, doors, balconies, and roof eaves create a rhythmic composition, taking into consideration scale, style and proportion of architectural elements. Furthermore, the proposed project is designed to minimize privacy impacts by not aligning windows with adjacent residences and orientating balconies and decks toward the public right-of-way. The design of the residence will be compatible with existing developments in the neighborhood which are comprised of one- to two-story residences because the project will convey the appearance of a two-story home.

Objectives C 1.1: Ensure that adverse impacts associated with coastal zone development area mitigated or minimized to the greatest extent feasible.

Implementation Program I-C 2:

The principal method for implementing of the Coastal Element is the HBZSO, and the design and development standards contained therein. Accordingly, projects that comply with HBZSO standards area consistent with the Coastal Element of the General Plan.

The project will comply with the goals and policies of the Coastal Element the General Plan and the standards of the HBZSO. No adverse impacts will occur as a result of the proposed development. The project will not impact coastal access or coastal resources. The proposed construction will occur on a previously developed site, contiguous to existing residential development.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-018/CONDITIONAL USE PERMIT NO. 2007-044:

1. The site plan, floor plans, and elevations received and dated August 14, 2008 shall be the conceptually approved design with the following modifications:
2. Incorporating sustainable or “green” building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green’s Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney’s fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

REVISIONS	

THE R.L. BOLLING CO.



REVISIONS	

sky view designs
 abeth ament - howell & greg howell
 61 suburb lane, huntington beach, ca 92646
 call: greg@skylvewhomes.com phone: 714-963-4600

HOME FOR :
LING CO.
CIRCLE
LIFORNIA 92649

PROPOSED NEW CUSTOM
THE R.L. BOL
3292 FALKLAND
HUNTINGTON BEACH, CA

DATE:	7-22-08
SCALE:	1/4"=1'-0"
DRAWN:	
JOB NAME:	BOLLING
TITLE:	
TITLE PAGE	
SHEET NO.:	T-1

COMPARISON OF APPROVED YEAGER-ITTY HOME AND THE APPEALED HERMAN'S HOME

CATEGORY	TOBER - LITTY	LITMAN'S HOME
WATER SIDE STICKS	5'-0"	5'-0"
WATER SIDE PROJECTIONS	PROJECTIONS IN STICKS	NO PROJECTIONS IN STICKS
30'0" SOLE STICKS	5'-0"	5'-0"
WATER SIDE PROJECTIONS	PROJECTIONS IN STICKS	NO PROJECTIONS IN STICKS
STREET SIDE TRIMLES	1'-0"	NO PROJECTIONS
STREET SIDE BALCONY	20'-0" TO 23'-0"	24'-0" TO 24'-0"
STREET SIDE LIVING	20'-0" TO 22'-0"	20'-0" TO 24'-0"
STREET SIDE GARAGE	10'-0"	10'-0" TO 35'-0"
WATER SIDE PROJECTIONS	NO PROJECTIONS	NO PROJECTIONS
LOT SIZE	5011 SQ. FT.	6300 SQ. FT.
LOT COVERAGE	2446 SQ. FT.	2782 SQ. FT.
OPEN SPACE	48.8%	43.8%
TARGET WALL HT.	20'15 SQ. FT.	33'38 SQ. FT.
WALL HT. HTS.	14'-0" TO 16'-0" (MAXIMUM HEIGHT)	14'-0" TO 16'-0" (MAXIMUM HEIGHT)
WALL HT. HTS.	14'-0" TO 16'-0" (MAXIMUM HEIGHT)	14'-0" TO 16'-0" (MAXIMUM HEIGHT)
WALL HT. HTS.	14'-0" TO 16'-0" (MAXIMUM HEIGHT)	14'-0" TO 16'-0" (MAXIMUM HEIGHT)



SCALE: 1/8"=1'-0"

CONTRACTOR IS TO VERIFY ALL EXISTING CONDITIONS PRIOR CONSTRUCTION and NOTIFY ENGINEER OF RECORD WITH ANY DISCREPANCIES

2






3292 FALKLAND CIRCLE
HUNTINGTON BEACH, CALIFORNIA 92649

elizabeth ament - howell & greg howell
20561 suburbia lane, huntington beach, ca 92646
email: greg@skyviewhomes.com phone: 714-963-4600

KING BOARD FOR CROWMOWER ENCLOSURE	1. ALL WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.	REVISIONS
	2. ALL HOSE BBS TO BE FITTED WITH NON-REMOVABLE	



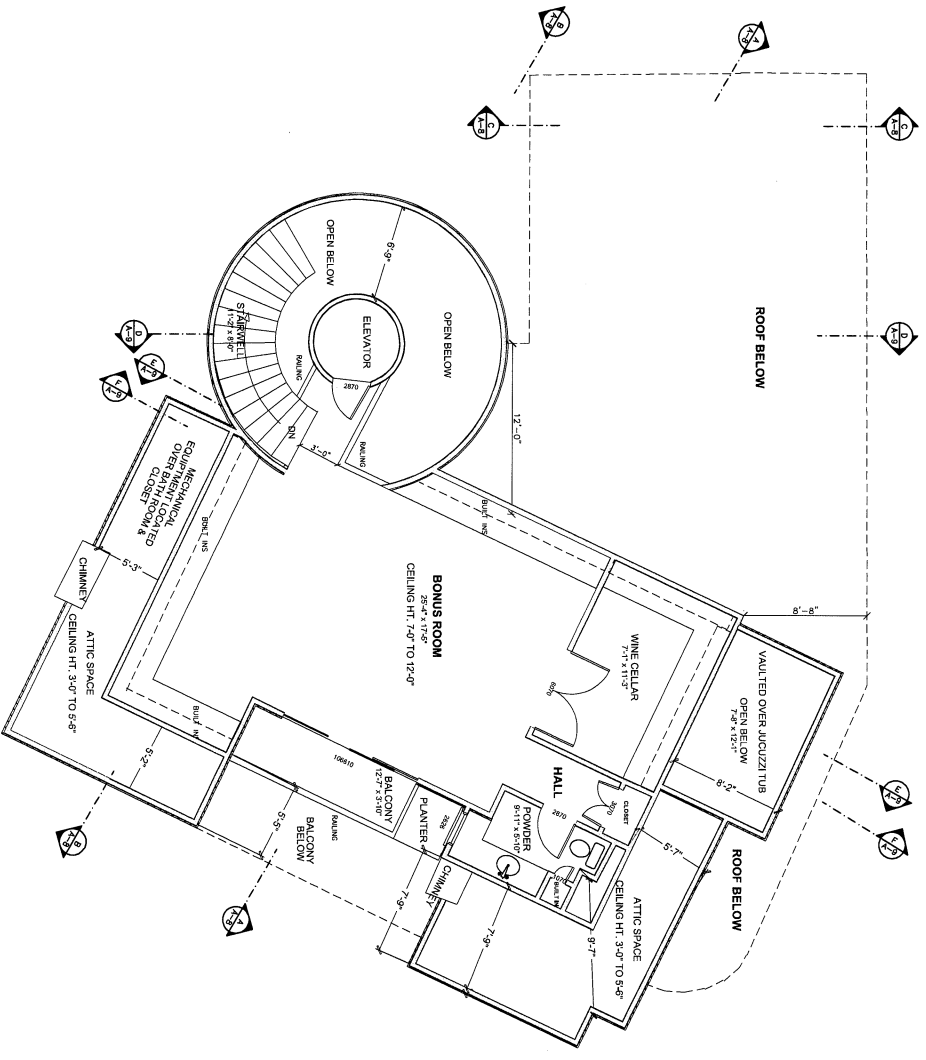
- DOOR NOTES

- LEGEND**
-  SMUGOL, DEOTES ROOM FINISH, SEE FINISH
-  SCHEDULE FOR ADULT INFO.
-  SMUGOL, DEOTES ROOM CEILING HEIGHT
-  SMUGOL, DEOTES PICTURE, FINISHES ETC...
-  SEE KEY SCHEDULE.

elizabeth ament - howell & greg howell
20561 suburbia lane, huntington beach, ca 92646
email: greg@skvviewhomes.com phone: 714-963-4600

DATE:	7-22-08
SCALE:	1/4"=1'-0"
DRAWN:	
JOB NAME:	BOLLING
TITLE:	FIRST FLOOR PLAN
SHEET NO.:	A-2

AUG 14 2008



ATTIC PLAN

SCALE: 1/8"=1'-0"

CONTRACTOR IS TO VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY OWNER OF ANY DISCREPANCIES.



<p>DOOR NOTES</p> <ol style="list-style-type: none"> 1. PROVIDE FINISH DOOR ON ALL EXTERIOR WALLS. 2. FINISH DOOR TO BE FINISHED WITH A FINISH DOOR. 3. FINISH DOOR TO BE FINISHED WITH A FINISH DOOR. 4. FINISH DOOR TO BE FINISHED WITH A FINISH DOOR. 5. FINISH DOOR TO BE FINISHED WITH A FINISH DOOR. 6. FINISH DOOR TO BE FINISHED WITH A FINISH DOOR. 	<p>WINDOW NOTES</p> <ol style="list-style-type: none"> 1. PROVIDE FINISH WINDOW ON ALL EXTERIOR WALLS. 2. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 3. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 4. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 5. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 6. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 	<p>SECURITY REQUIREMENTS</p> <ol style="list-style-type: none"> 1. PROVIDE FINISH WINDOW ON ALL EXTERIOR WALLS. 2. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 3. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 4. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 5. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 6. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 	<p>BATHROOM NOTES</p> <ol style="list-style-type: none"> 1. PROVIDE FINISH WINDOW ON ALL EXTERIOR WALLS. 2. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 3. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 4. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 5. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 6. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 	<p>FLOOR PLAN NOTES</p> <ol style="list-style-type: none"> 1. PROVIDE FINISH WINDOW ON ALL EXTERIOR WALLS. 2. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 3. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 4. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 5. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 6. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 	<p>LAUNDRY NOTES</p> <ol style="list-style-type: none"> 1. PROVIDE FINISH WINDOW ON ALL EXTERIOR WALLS. 2. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 3. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 4. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 5. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 6. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 	<p>FIRE BLOCKS & DRAFT STOPS</p> <ol style="list-style-type: none"> 1. PROVIDE FINISH WINDOW ON ALL EXTERIOR WALLS. 2. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 3. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 4. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 5. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW. 6. FINISH WINDOW TO BE FINISHED WITH A FINISH WINDOW.
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PROPOSED NEW CUSTOM HOME FOR :

THE R.L. BOLLING CO.

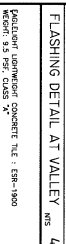
3292 FALKLAND CIRCLE
HUNTINGTON BEACH, CALIFORNIA 92649

elizabeth amant - howell & greg howell
20551 suburbia lane, huntington beach, ca 92646
email: greg@skylvethomes.com phone: 714-963-4600

DATE: 7-22-08
DRAWN: 1/4"=1'-0"
JOB NAME: ROLLING
TITLE: ATTIC PLAN
SHEET NO. A-4

ROLLING

REVISIONS	



VENTILATION NOTES

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WITH ANY DISCREPANCIES



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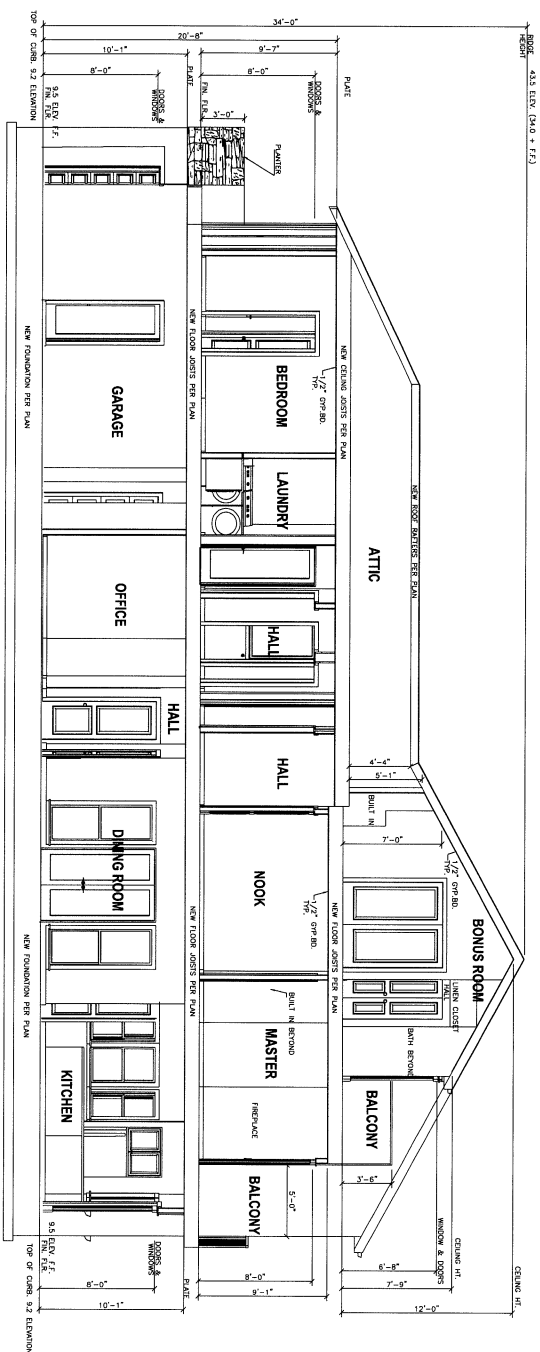
FLASHING OF ALL EXTERIOR WINDOW AND DOOR



-
- OLD TIED STONE®
MORTAR SETTING BED
MORTAR JOINT
SCRATCH COAT
LATH
WATER RESISTANT
MOISTURE BARRIER
FIBERGLASS INSULATION
VAPOR DECOUPLED
EXTERIOR FINISH
EXTERIOR SCRIBE

A-7

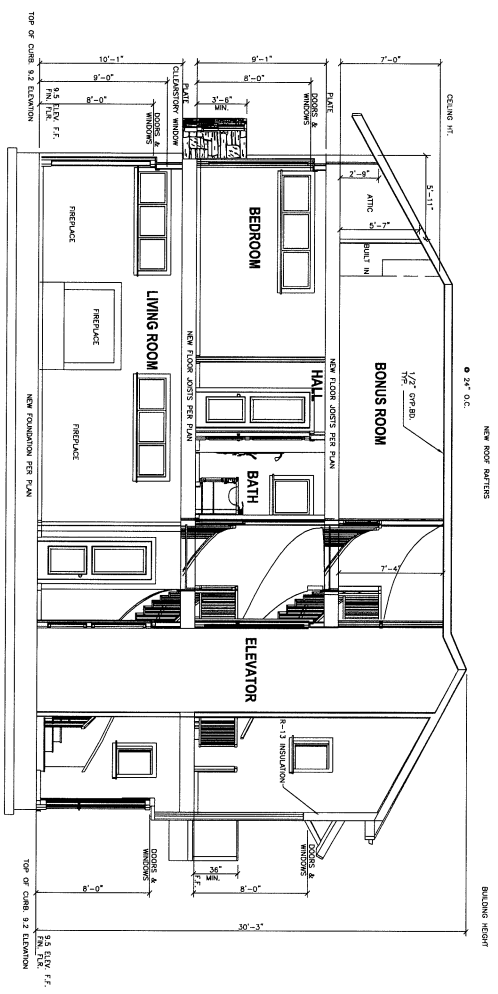
elizabeth ament - howell & greg howell
20561 suburbia lane, huntington beach, ca 92646
email: greg@skyviewhomes.com phone: 714-963-4600



SECTION A

SCALE: 1/4"=1'-0"

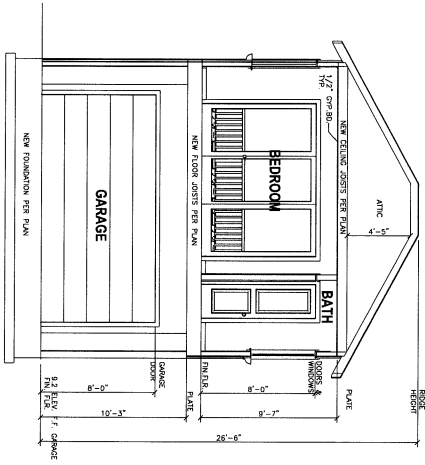
CONTRACTOR IS TO VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY ENGINEER OF RECORD WITH ANY DISCREPANCIES



SECTION B

SCALE: 1/4"=1'-0"

CONTRACTOR IS TO VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY ENGINEER OF RECORD WITH ANY DISCREPANCIES



SECTION C

SCALE: 1/4"=1'-0"

CONTRACTOR IS TO VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY ENGINEER OF RECORD WITH ANY DISCREPANCIES

<p>1. INSULATE R-13 INSULATIONS IN ALL NEW WALLS.</p>	
<p>2. INSULATE R-19 INSULATIONS IN ALL NEW ATTIC.</p>	
<p>3. ALL NEW WINDOWS SHALL BE DOUBLE GLAZED.</p>	
<p>4. ROOF SHALL BE SHEDDING WITH EXISTING FORM.</p>	
<p>5. SHEDDING TO TOWN AT AN 8:12 PITCH.</p>	
<p>INSULATION NOTES</p>	

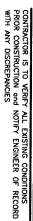
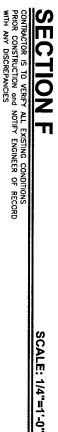
DATE:	7-23-08
SCALE:	1/4"=1'-0"
DRAWN:	
CHECKED:	
TITLE:	SECTIONS
PROJECT NO.:	A-8

PROPOSED NEW CUSTOM HOME:
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HUNTINGTON BEACH, CALIFORNIA 92649

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REVISIONS

REVISIONS	



DATE:	7-22-08
SCALE:	1/4"=1'-0"
DRAWN:	
JOB NAME:	BOLLING
TITLE:	SECTIONS
SHEET NO.:	A-9

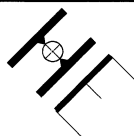
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email: greg@skyvlewhomes.com phone: 714-963-4600

[illegible]

DATUM - 1' ELEVATIONS SHOWN ON THIS MAP WERE ESTABLISHED FROM BENCHMARK G-978 ELEVATION = 10296 PER JANUARY 1997 FLOOD 3' IN U.S.G.S. BRONZE BENCHMARK C-4888 IN 2005. THE BRIDGE SPANS A SMALL STRONG CHANNEL OF A CONCRETE BRIDGE, SPANNING A SMALL SINGER CHANNEL OF HUNTINGTON HABERM MONUMENT IS LOCATED IN THE SOUTHWESTERN CORNER OF THE INTERSECTION OF PCH AND SOUTHEASTERN, CORNER OF THE INTERSECTION OF PCH AND BROADWAY, 75.5 FT. EASTERY OF THE NORTHERLY WESTERLY END OF THE GUARD RAIL ALONG THE SOUTHWESTERLY END OF THE GUARD RAIL ALONG THE BRIDGE. MONUMENT IS SET LEVEL WITH SIDEWALK.

HERMAN'S PROPERTY
LOT 72, TRACT 4499; A.P.N. 178-421-18
3292 Falkland Circle
Huntington Beach, CA.



13428 Maxella Ave., # 780, Marina Del Rey, CA, 90292; Ph: 866.767.2656
64450 Spyglass Ave., Desert Hot Springs, CA, 92240; Ph: 760.251.4535
P.O. Box 1412, Lebec, CA, 93243



City of Huntington Beach Planning Department
STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning
BY: Andrew Gonzales, Assistant Planner AG
DATE: June 24, 2008

SUBJECT: **APPEAL OF THE ZONING ADMINISTRATOR'S APPROVAL OF COASTAL DEVELOPMENT PERMIT NO. 07-018 AND CONDITIONAL USE PERMIT NO. 07-044 (HERMAN RESIDENCE – Continued from the May 27, 2008 meeting)**

APPLICANT: Greg Howell, 20561 Suburbia Lane, Huntington Beach, CA 92646

APPELLANT: John Scandura, Planning Commissioner

PROPERTY

OWNER: Stephen Herman – Falkland Investment Trust, 3292 Falkland Circle, Huntington Beach, CA 92649

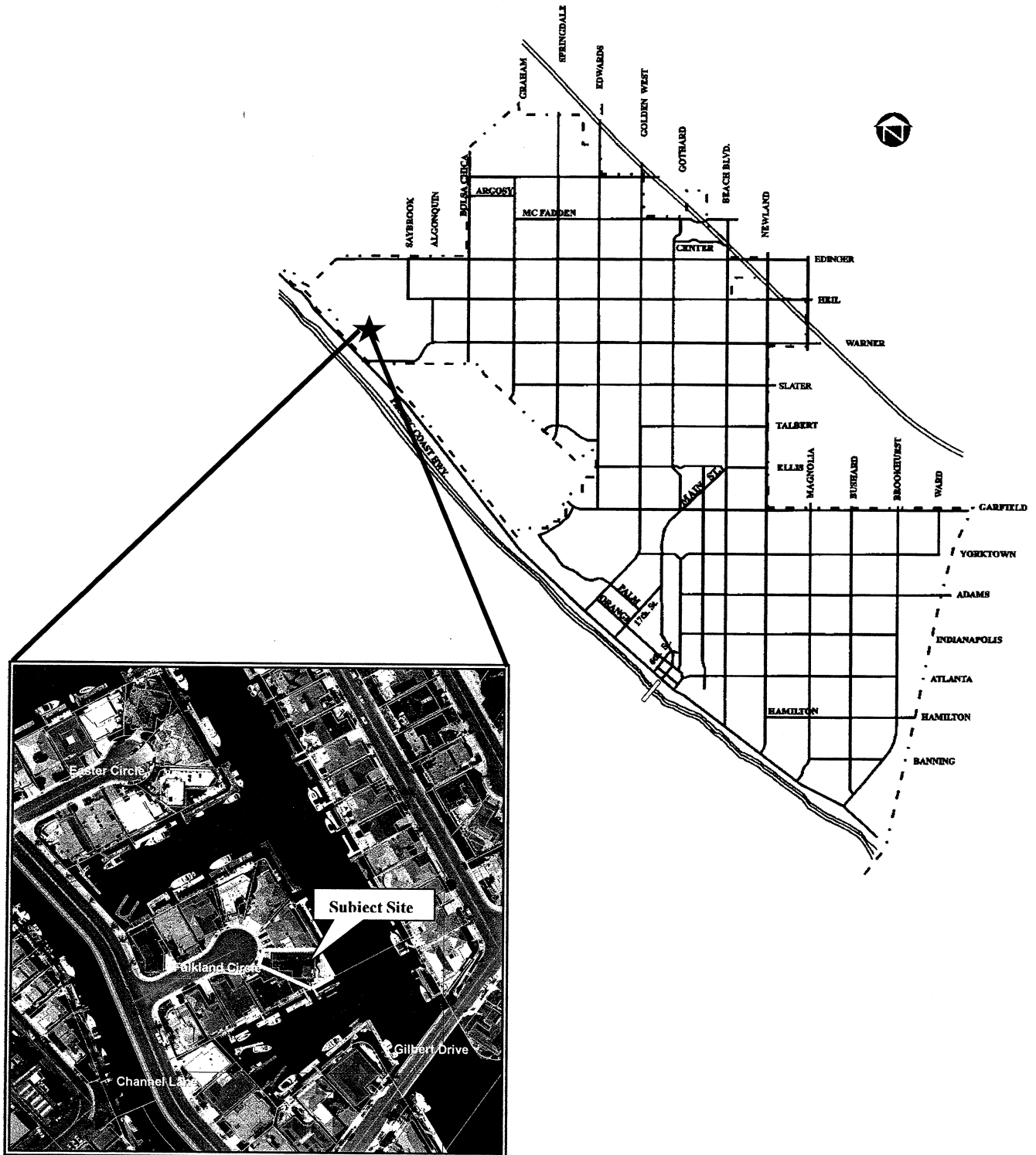
LOCATION: 3292 Falkland Circle, 92649 (terminus of Falkland Circle., east of Channel Lane – Admiralty Island)

STATEMENT OF ISSUE:

- ♦ Coastal Development Permit No. 07-018 request:
 - To demolish an existing single-family dwelling and construct an approximately 6,208 sq. ft., 35 ft. tall single-family dwelling with a 602 sq. ft. attached garage.
- ♦ Conditional Use Permit No. 07-044 request:
 - To construct a new residence with an approximately 1,107 sq. ft. third floor habitable area and an approximately 148 sq. ft. third story deck.
 - To construct a new residence with an overall building height exceeding 30 ft. (max. 35 ft.).
- ♦ Staff's Recommendation:

Approve Coastal Development Permit No. 07-018 and Conditional Use Permit No. 07-044 based upon the following:

 - The proposed project conforms with the requirements of the base-zoning district.
 - The proposed project is compatible with surrounding uses.
 - The proposed project is consistent with previous approvals for new construction within Huntington Harbor.



VICINITY MAP
COASTAL DEVELOPMENT PERMIT NO. 07-018/ CONDITIONAL USE PERMIT
NO. 07-044
(HERMAN RESIDENCE – 3292 FALKLAND CIRCLE)

RECOMMENDATION:

Motion to:

- A. “Approve Coastal Development Permit No. 07-018 and Conditional Use Permit No. 07-044 with findings and suggested conditions of approval (Attachment No. 1).”

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. “Deny Coastal Development Permit No. 07-018 and Conditional Use Permit No. 07-044 with findings.”
- B. “Continue Coastal Development Permit No. 07-018 and Conditional Use Permit No. 07-044 and direct staff accordingly.”

PROJECT PROPOSAL:

Coastal Development Permit No. 07-018/ Conditional Use Permit No. 07-044 represents a request for the following:

- A. To permit the demolition of an existing dwelling and construction of an approximately 6,208 sq. ft., 35 ft. tall single-family dwelling with a 602 sq. ft. attached garage pursuant to Chapter 245 – *Coastal Development Permit* and Chapter 210 – *Residential Districts* of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO); and
- B. To permit a single-family dwelling with a (a) an approximately 1,107 sq. ft. third floor habitable area, (b) an approximately 148 sq. ft. third story deck, and (c) an overall building height exceeding 30 ft. (max. 35 ft.) pursuant to Section 210.06(M) – *Height Requirements* of the HBZSO.

The proposed project was continued from the May 27, 2008 Planning Commission meeting at the request of the applicant. The request was to provide the applicant with additional time for the preparation of supporting documents and drawings (Attachment No. 10).

The project site is located at the terminus of a cul-de-sac developed with 11 single-family homes in a single-family residential district on Admiralty Island (Huntington Harbor). The site is currently developed with a two-story, 2,911 sq. ft. single-family dwelling to be demolished. The subject property is situated at the corner of the cul-de-sac. The lot is approximately 6,300 sq. ft. in area (the largest lot on the cul-de-sac). The adjacent property to the north is developed with a 2,872 sq. ft., two- story single-family home. The adjacent property to the south was recently approved for construction of a 4,981 sq. ft., three-story single-family home. The proposed single-family dwelling is outlined as follows:

FLOOR AREA			
Floor	Habitable	Decks	Garage
First Floor	2,201		602
Second Floor	2,900	244	
Third Floor	1,107	148	
TOTAL:	6,208	392	

An oversized two-car, front entry attached garage (602 sq. ft.) will be provided in addition to two open tandem parking spaces in front of the garage. The oversized garage is designed to provide an additional parking space in a tandem configuration. The number of onsite parking spaces will meet the minimum onsite parking requirements based on the number of bedrooms provided pursuant to the requirements of the HBZSO.

Background:

Prior to 1986, the construction of a third story was permitted by right with the issuance of a building permit. From 1986 to 1992, the construction of a third story was permitted by a conditional use permit (CUP) with review and approval by the Planning Commission. The City adopted the current ordinance that governs third story design in 1992, on the recommendation of the Planning Commission, to address concerns over new third story construction in Huntington Harbor. The ordinance is intended to ensure that in-fill development maintains compatibility with the character of existing one- and two-story single-family residential neighborhoods. This was done by means of design restrictions that effectively limited third story construction. In addition, the ordinance was designed to reduce potential privacy impacts to adjacent properties by regulating the orientation of windows and decks. To permit such third story construction, the ordinance requires that approval of a CUP. The CUP is discretionary and is based on finding that the proposal is in conformance with applicable ordinances, General Plan policies, and is compatible with surrounding properties. Requests to replace existing one- and two-story harbor dwellings with new three-story dwellings along with requests to construct third story additions, are among the more common considered by the Zoning Administrator in the past several years.

Zoning Administrator Action:

Coastal Development Permit No. 07-018 and Conditional Use Permit No. 07-044 was scheduled before the Zoning Administrator on April 2, 2008. Prior to the public hearing staff received two letters of opposition from the Huntington Harbour Property Owners' Association (HHPO) and eight letters in opposition were received from the neighboring property owners. The HHPO and surrounding neighbors were concerned with the overall mass and scale of the proposed building in comparison to the surrounding neighborhood.

The applicant and five residents were present at the April 2, 2008, Zoning Administrator meeting. The applicant spoke in favor of the request and went over revised plans for a third floor restroom and deck. The revised plans are labeled Exhibit "A" and Alternatives "1", "2", and "3" and are provided in Attachment No. 2. The applicant also explained how the project is designed to minimize building mass and protect privacy of adjoining residences. The residents expressed their opposition and noted concerns due to the size and height of the residence, privacy impacts, on-street parking impacts, and vehicular circulation and safety impacts associated with the proposed new residence.

The Zoning Administrator found that the proposed residence will be compatible with the neighborhood because the design of the home conceals all third story habitable floor area within the confines of the second story roof volume, protects the privacy of adjoining residences, and complies with all provisions of the HBZSO.

Appeal:

The Zoning Administrator's approval of Coastal Development Permit No. 07-018 and Conditional Use Permit No. 07.044 was appealed by Planning Commissioner Scandura, for reasons cited in an appeal letter dated April 14, 2008 (Attachment No. 5). The reasons for appeal are listed below:

- The proposed three-story, single-family residence will not be compatible with the size and scale of existing homes in the surrounding neighborhood.
- The proposed three-story residence will be inconsistent with General Plan Objective LU 9.2 and Policy LU 9.2.1 which calls for the preservation of existing residential neighborhoods by requiring all new development be compatible with existing structures.

Study Session Summary:

The following are issues that were raised during the Planning Commission Study Session meeting on Tuesday, May 13, 2008.

- Neighborhood Compatibility:

Concern was raised over the size and scale of the proposed single-family residence with respect to the existing residential neighborhood. The Planning Commission requested an inventory of homes in the Huntington Harbor area to determine the development's compliance to neighborhood compatibility (Attachment No. 7).

- Urban Design Compatibility:

The City's Urban Design Guidelines (UDG) requires review of the proposed single-family residences when in conjunction with other discretionary review or approval. A comparison of the project to the design standards is provided in the Urban Design Guidelines conformance section.

- Third Floor Habitable Area

The proposed residence will include a 1,107 sq. ft. third floor which is referred to as a "bonus room" on the submitted floor plan and 1,793 sq. ft. of non-accessible attic space. Uncertainty as to the classification of this room was expressed at the meeting. Based on the HBZSO definition any room used principally for sleeping purposes, an all-purpose room, a study, a den, a room having 100 sq. ft. or more of floor area or less than 50 percent of one wall open to an adjacent room or hallway is considered a bedroom. In this instance, more than 50% of the proposed third floor walls are open to the adjacent staircase/landing and the second floor hallway area. Since the third floor habitable area does not fulfill the aforementioned criteria, no additional parking space is required.

- Attic Area

Within the third floor area, there was concern expressed that the perimeter interior walls of the attic area may be removed to allow for additional habitable floor area. The third floor development criteria, identifies that third floor habitable area be setback a minimum of 5 ft. from the building exterior. The proposed project provides the necessary 5 ft. setback and provides an additional setback (up to 18 ft.) in other locations of the third floor. In addition, the interior attic at its highest point is 8 ft. 7 in. and gradually descends with the slope of the roof. Although concern

exists with the potential removal of these walls, it is difficult for the City to monitor. The Department can only rely on the submitted floor plans for the accurate design and layout of a project.

ISSUES:

Subject Property And Surrounding Land Use, Zoning And General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	RL-7 (Residential Low Density – Max. 7 du/ac)	RL (Residential Low Density)	Single-Family Residential
North, South, and West of Subject Property	RL-7	RL	Single-Family Residential
East of Subject Property	OS-W (Open Space – Water Recreation)	OS-WR (Open Space – Water Recreation Subdistrict)	Shelter Channel – Waterway

General Plan Conformance:

The General Plan Land Use Map designation on the subject property is Residential Low Density. The proposed project features a third story design, which is consistent with the goals and objectives of the City's General Plan for single-family residential districts, including the following:

A. Land Use Element

Policy 9.2.1: Require that all new residential development within the existing residential neighborhoods (i.e., infill) be compatible with existing structures, including the:

- Maintenance of the predominant or median existing front yard setbacks;
- Use of building heights, grade elevations, orientation and bulk that is compatible with the surrounding development.
- Use of complementary building materials, colors and forms, while allowing flexibility for unique design solutions.
- Maintenance of privacy on abutting residences.

The proposed project complies with the following General Plan policies because the project employs variations in form, building materials, building details, and siting in order to create visual interest. The architectural elements of the residence which includes windows, doors, balconies, and roof eaves creates a rhythmic composition, taking into consideration scale, style and proportion of architectural elements. Furthermore, the proposed project is designed to minimize privacy impacts by not aligning windows with adjacent residences and orientating balconies and decks toward the public right-of-way. The design of the residence will be compatible with existing developments in the neighborhood which are comprised of one- to two-story residences because the project will convey the appearance of a two-story home.

B. Coastal Element

Objectives C 1.1: Ensure that adverse impacts associated with coastal zone development area mitigated or minimized to the greatest extent feasible.

Implementation Program I-C 2:

The principal method for implementing of the Coastal Element is the HBZSO, and the design and development standards contained therein. Accordingly, projects that comply with HBZSO standards are consistent with the Coastal Element of the General Plan.

The project will comply with the goals and policies of the Coastal Element the General Plan and the standards of the HBZSO. No adverse impacts will occur as a result of the proposed development. The project will not impact coastal access or coastal resources. The proposed construction will occur on a previously developed site, contiguous to existing residential development.

Zoning Compliance:

The project is located in the Residential Low-Density – Coastal Zone districts and complies with all applicable requirements.

The following is a zoning conformance matrix that compares the proposed project with the third story development standards and parking requirements of the Residential Low-Density district:

SECTION	ISSUE	CODE PROVISION	PROPOSED
210.06	Building Height	Max. 35 ft. from top of curb to roof peak with CUP. Habitable area above the second story shall be w/in the confines of the second story roof volume. Vertical projections (windows and decks) above the second story shall be setback a min. of 5 ft. from façade below. Windows and decks above the second story shall orient toward public R.O.W. only.	35 ft. from top of curb to roof peak* Complies* Complies* Complies*
231.04.B	Off-Street Parking - Number	Min. 4 spaces 2 enclosed 2 open	4 spaces total as follows: 2 enclosed (garage) 2 open (driveway)

**Conditional Use Permit request*

In-fill Ordinance Requirements

The project is subject to compliance with the City's Residential Infill Lot Development ordinance, which requires that windows in new dwellings be offset from windows in existing adjacent dwellings. The project plans do not show alignments with the adjacent dwellings. The proposed building height is comparable to building heights in the surrounding neighborhood and consistent with the building height of a newly approved residence to the south of the subject site. The proposed project will maintain the same pad height and a two-story appearance which is consistent with the number of floors on the adjacent residence to the north of the subject site. In addition, there will be no windows located on the third floor of the residence with exception of a balcony which will be oriented toward the public right-of-way.

Urban Design Guidelines Conformance:

Staff has reviewed the proposed project to the Huntington Beach Urban Design Guidelines and determined that the project generally conforms to the objectives and standards for residential projects, including the following:

- The building design takes advantage of and enhances the site unique natural amenities and incorporates “human scale” form, proportions and architectural building details (UDG Ch. 2:D.1.a).
- Architectural element such as windows, doors, exposed wood beams, etc. should create a rhythmic composition, taking into consideration scale, style and proportion of architectural elements (UDG Ch. 2:D.1.d).
- Clear entry space sequences, extending from sidewalks to the private front door is provided (UDG Ch.2:D.1.e).
- All elevations are architecturally enhanced. The building elevations which are visible from the public right-of-ways are significantly articulated. Elements such as recesses of stories, porches, and balconies are provided (UDG Ch. 2:D.2.d).
- The visual impact of monolithic two-story wall surfaces is softened by providing a variety of roof articulation, second story balconies, and cantilevered second story elements (UDG Ch. 2:D.2.e).

Consistent with the UDG, the proposed residence is designed to appear as a two-story residence. The third floor area is concealed within the second floor roof volume which allows the project to convey a less massive appearance. The façade of the building incorporates architectural details which serve to provide visual relief and reduce the overall mass and bulk of the structure through the incorporation of windows, doors, cantilevered balconies, exposed rafters, variable wall plains, and roof articulation. The architectural elements aid to soften the overall look of the structures thereby creating additional shadow and transitional architectural elements.

Environmental Status:

The proposed project is categorically exempt pursuant to Class 3, Existing Facilities, Section 15303 of the California Environmental Quality Act that states that projects consisting of the replacement of an existing structure and facilities where the new structure will have substantially the same purpose and capacity are exempt.

Coastal Status:

The proposed project is located within an appealable area of the Coastal Zone. Coastal Development Permit No. 07-018 is being processed concurrently with Conditional Use Permit No. 07-044 pursuant to Chapter 245 of the HBZSO, which serves as the implementation program for the Local Coastal Program. The proposed project complies with applicable HBZSO design and development standards and therefore is consistent with the Local Coastal Program.

Redevelopment Status: Not applicable.

Design Review Board: Not applicable.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The Departments of Building and Safety, Fire and Public Works have reviewed the proposed project and identified applicable code requirements. The letter has been provided for informational purposes only (Attachment No. 6).

Public Notification:

Legal notice was published in the Huntington Beach/Fountain Valley Independent on June 12, 2008 and notices were sent to property owners of record and tenants within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning Department's Notification Matrix), the applicant and interested parties. As of June 17, 2008, 10 letters have been received in opposition to the proposed project.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:

December 19, 2007

MANDATORY PROCESSING DATE(S):

May 17, 2008 (includes 90 day extension)

Coastal Development Permit No. 07-018 and Conditional Use Permit No. 07-044 was filed on November 19, 2007 and deemed complete on December 19, 2007. On February 14, 2008, the applicant requested a one-time, 90-day extension to extend the mandatory processing date deadline to May 17, 2008. The Zoning Administrator acted on the application on April 2, 2008, in compliance with the mandatory processing timelines. An appeal was filed by Planning Commissioner Scandura on April 14, 2008. The application is scheduled for public hearing before the Planning Commission on June 24, 2008.

ANALYSIS:

The primary issues for the Commission to consider in evaluating the proposed project is whether the project has been designed in accordance with applicable standards, achieves compatibility with the surrounding neighborhood, and whether the request is consistent with previous approvals for similar requests in the Huntington Harbor area.

Proposed Single-Family Dwelling

The proposed single-family dwelling complies with all applicable requirements of the HBZSO, including onsite parking and the criteria for third story design and the max. 35-foot height limit. No variances to City standards are requested or required. The third story space is designed within the second story roof volume, is recessed from the first and second story facades, and the windows and deck orient toward the public right-of-way, as required by the HBZSO. The third floor habitable area is open to the staircase landing and second floor hallway and will not trigger any additional parking.

The recessed design of the proposed third story and the slope of the roof, the portions of the dwelling which exceed 30 feet in height will not significantly impact views. Moreover, the proposed design minimizes long, unarticulated exterior walls and monolithic roof forms by incorporating massing offsets, varied rooflines, balconies and other architectural details.

Over the course of the past several years the City has approved requests to construct three-story dwellings and third story additions in Huntington Harbor, as well as requests to exceed 30 feet in height. Such requests were reviewed and approved based on compliance with the objective criteria contained in the HBZSO and findings that the proposed development is consistent with the two-story, single-family residential character desired for the RL zoning districts. Staff believes that the proposed project will not have a detrimental impact on the neighborhood and that the project is consistent not only with previously approved projects in Huntington Harbor, but also with anticipated future development.

The proposed residence consists of four bedrooms, six bathrooms. A home of this type requires a two-car garage with two open parking spaces. Parking for the proposed residences will be satisfied by a 602 sq. ft. two-car garage with two open parking spaces within the driveway. While the project complies with the minimum parking required, the garage provides one additional parking space in the form of a tandem parking space. The HBZSO does not allow tandem parking spaces to be counted towards the parking requirements. However, the additional space may still be used for additional parking.

Basis For Appeal

Commissioner John Scandura's appeal letter states that the proposed dwelling is incompatible with the size and scale of homes in the surrounding neighborhood. The appeal letter also asserts that the project is inconsistent with the objectives and policies of the General Plan requiring new developments to preserve existing residential neighborhoods by designing buildings to be compatible with existing structures.

Staff does not concur with the assertions made by Commissioner Scandura in his appeal letter. The issue of compatibility is addressed in the findings for approval as a measure of a project's potential to negatively impact the surrounding neighborhood. A project's compatibility should be evaluated based on the broader character of the surrounding neighborhood (which in this case, should be considered a two-story, single-family residential neighborhood of upscale homes), rather than by means of strict comparison to the size of existing dwellings in the neighborhood. The term "neighborhood", as used herein and in the recommended findings for approval, refers to the Huntington Harbor area generally, and not strictly to a particular street or block in the immediate vicinity of the project site.

However, the City, via the HBZSO, has established the right to construct two-story homes, and adopted provisions for construction of three-story homes that exhibit a two-story character, within the Residential Low Density (RL) zone. Generally, dwellings which are designed in accordance with applicable development standards, exhibit a two-story, single-family residential character and achieve a high level of

design quality while minimizing impacts to surrounding properties, should be considered compatible with RL zoning district neighborhoods. To determine otherwise would undermine the right of property owners to develop property as provided for in the code.

Any analysis of a project's compatibility with the surrounding neighborhood should begin with a review of the objective standards formally adopted by the City and incorporated into the General Plan and HBZSO. The standards most applicable to the pending application are those contained in Section 210.06(M) of the HBZSO, which were designed specifically to address concerns regarding new three-story construction in the Harbor and to ensure the compatibility of such development.

The proposed dwelling is designed in accordance with applicable HBZSO development standards intended to ensure compatibility. The proposed third story is designed within the second story roof volume, is set back from the façade of the second story below and preserves the privacy on adjoining properties by orienting third story window and deck toward the public right-of-ways only. Moreover, the project complies with the minimum setbacks, maximum lot coverage and maximum height requirements of the HBZSO.

Staff is recommending approval of the request, based on the project's compliance with applicable code requirements and compatibility with the surrounding neighborhood. No detrimental impacts to the surrounding neighborhood are anticipated.

ATTACHMENTS:

1. Suggested Findings and Conditions of Approval – CDP No. 07-018/ CUP No. 07-044
2. Site Plan, Floor Plans and Elevations received and dated February 7, 2008
3. Narrative dated and received November 19, 2007
4. Zoning Administrator Minutes dated April 2, 2008
5. Planning Commissioner John Scandura appeal letter dated April 14, 2008
6. Code Requirements Letter dated January 28, 2008
7. Housing Inventory
8. Letters of Opposition (10 total)
9. Property owner correspondence dated received June 9, 2008
10. Continuance request by applicant dated May 19, 2008.

SH:HF:AG:lw

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

**COASTAL DEVELOPMENT PERMIT NO. 2007-018/
CONDITIONAL USE PERMIT NO. 2007-044**

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project is located in an urbanized residential zone and involves the construction of a new single family dwelling.

SUGGESTED FINDINGS FOR APPROVAL – COASTAL DEVELOPMENT PERMIT NO. 2007-018:

1. Coastal Development Permit No. 2007-018 for the demolition and construction of an approximately 6,208 sq. ft. single-family dwelling with a 602 sq. ft. attached garage conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The development complies with the maximum site coverage, maximum building height, minimum yard setbacks, minimum onsite parking, and third story design criteria. A concurrent application for a conditional use permit is under review to permit a third floor habitable area, third floor deck, and an overall building height of 35 ft.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed addition will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. The development conforms to the public access and public recreation policies of Chapter 3 of the California Coastal Act. The proposed addition will not impede public access or impact public views to coastal resources.

SUGGESTED FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 2007-044:

1. Conditional Use Permit No. 2007-044 to permit an approximately 1,107 sq. ft. third floor living area and an approximately 148 sq. ft. third story deck with an overall building height of 35 ft. will not be detrimental to the general welfare of person working or residing in the vicinity or detrimental to the

value of the property and improvements in the neighborhood. The proposed habitable area will be located within the confines of the second story roof volume, thus minimizing mass and bulk of the structure. The overall building height is not anticipated to impact surrounding properties because the project is mainly adjacent to two-story single family residences. The proposed rooftop deck will be located at the rear of the house and oriented toward the public right-of-way to insure privacy for adjacent properties. The proposed rooftop deck is setback more than 13 ft. from adjacent residential properties, and at least five ft. from the building exterior.

2. The conditional use permit will be compatible with surrounding uses consisting of single-family homes because the three-story residence is designed to be comparable to other two-story homes in the vicinity. The home is designed as a two-story residence with the third floor habitable area and rooftop deck integrated within the confines of the second story roof. The habitable area and rooftop deck is contained within the second floor roof volume and orientated toward the Shelter Channel with sufficient setbacks from the building exterior to insure privacy for adjacent properties.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The project complies with maximum lot coverage, minimum building setbacks, and maximum building height. An overall building height of 35 ft., third floor habitable area, and third floor deck are allowed in the base zoning district with approval of a conditional use permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL-7 (Low Density Residential—7 units per acre) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

Policy 9.2.1: Require that all new residential development within the existing residential neighborhoods (i.e., infill) be compatible with existing structures, including the:

- e. Maintenance of the predominant or median existing front yard setbacks;
- f. Use of building heights, grade elevations, orientation and bulk that is compatible with the surrounding development.
- g. Use of complementary building materials, colors and forms, while allowing flexibility for unique design solutions.
- h. Maintenance of privacy on abutting residences.

Objectives C 1.1: Ensure that adverse impacts associated with coastal zone development area mitigated or minimized to the greatest extent feasible.

Implementation Program I-C 2:

The principal method for implementing of the Coastal Element is the HBZSO, and the design and development standards contained therein. Accordingly, projects that comply with HBZSO standards area consistent with the Coastal Element of the General Plan.

The development will comply with maximum building height permitted in the RL zone. The proposed third floor habitable area and rooftop deck are designed within the confines of the second story roof volume and located in the approximate center of the lot with sufficient setbacks from the building exterior. The addition is designed to minimize mass and bulk and impacts to privacy on adjoining properties. The proposed deck will be architecturally integrated into the design of the house, screened from view on three sides by the second story roof, and not visible from the surrounding properties. The project will not impact coastal access or coastal resources.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-018/CONDITIONAL USE PERMIT NO. 2007-044:

1. The site plan, floor plans, and elevations received and dated February 7, 2008 shall be the conceptually approved design with the following modifications:
 - a. All drawings (plans, sections) shall depict all portions of the third floor bathroom with a five ft. minimum setback from the second story façade, consistent with the third floor plan received March 28, 2008 and identified as "Exhibit A".
 - b. All drawings (plans, elevations, sections) shall depict the third floor balcony with a five ft. minimum setback from the second story façade consistent with one of the section drawings received March 28, 2008 and identified as "Alternative 1", "Alternative 2", and "Alternative 3".
2. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

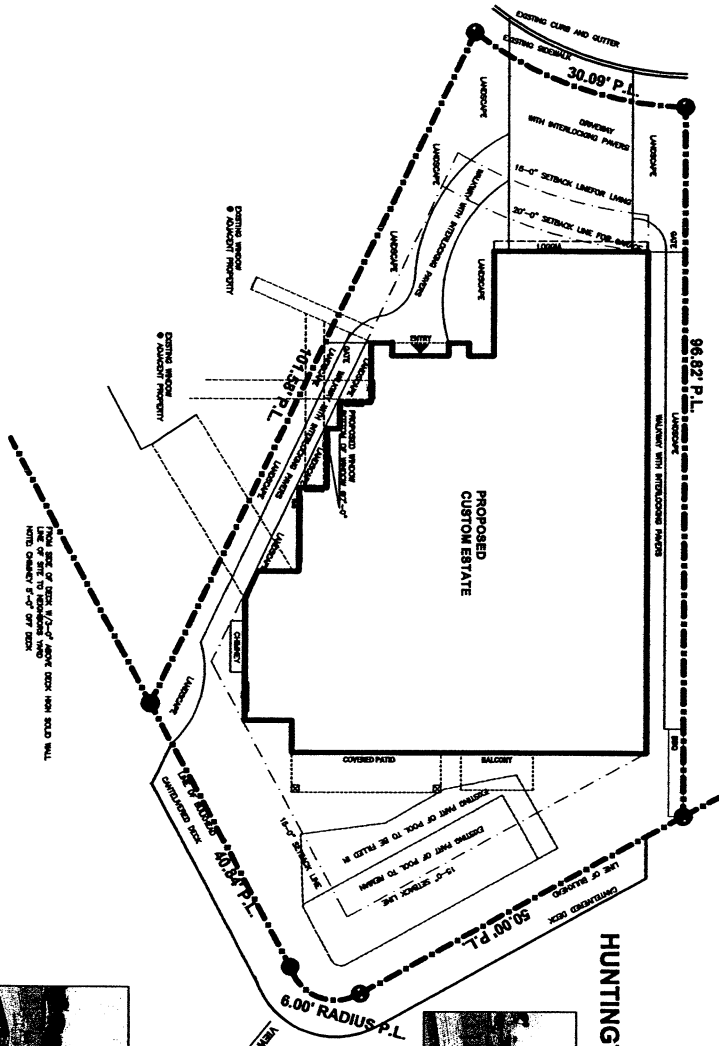
The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

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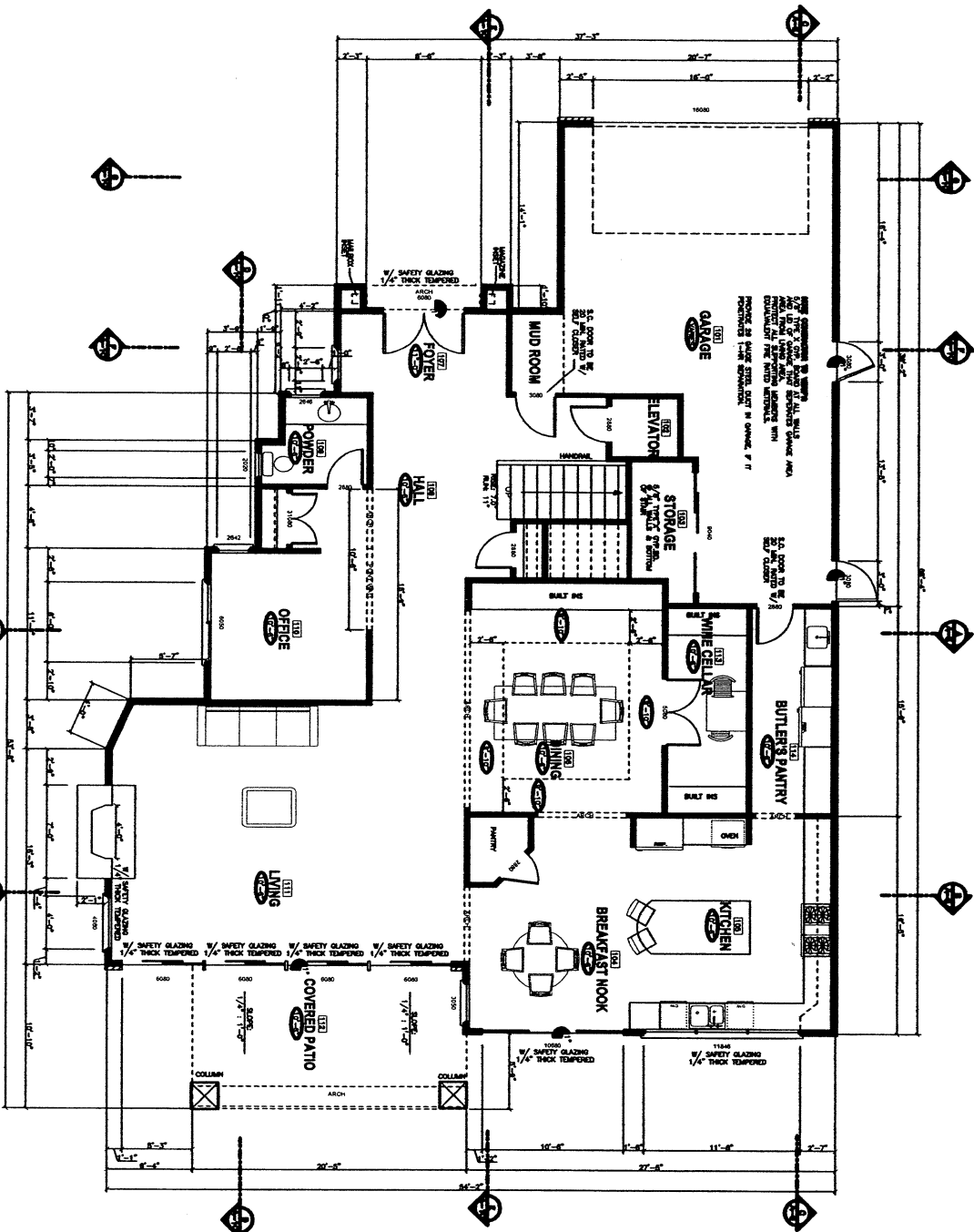


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PROPOSED NEW CUSTOM HOME:
THE R.L. POLLING CO.
3292 FAL CIRCLE
HUNTINGTON BEACH, CALIFORNIA 92646

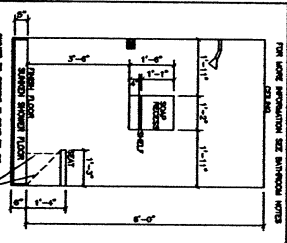
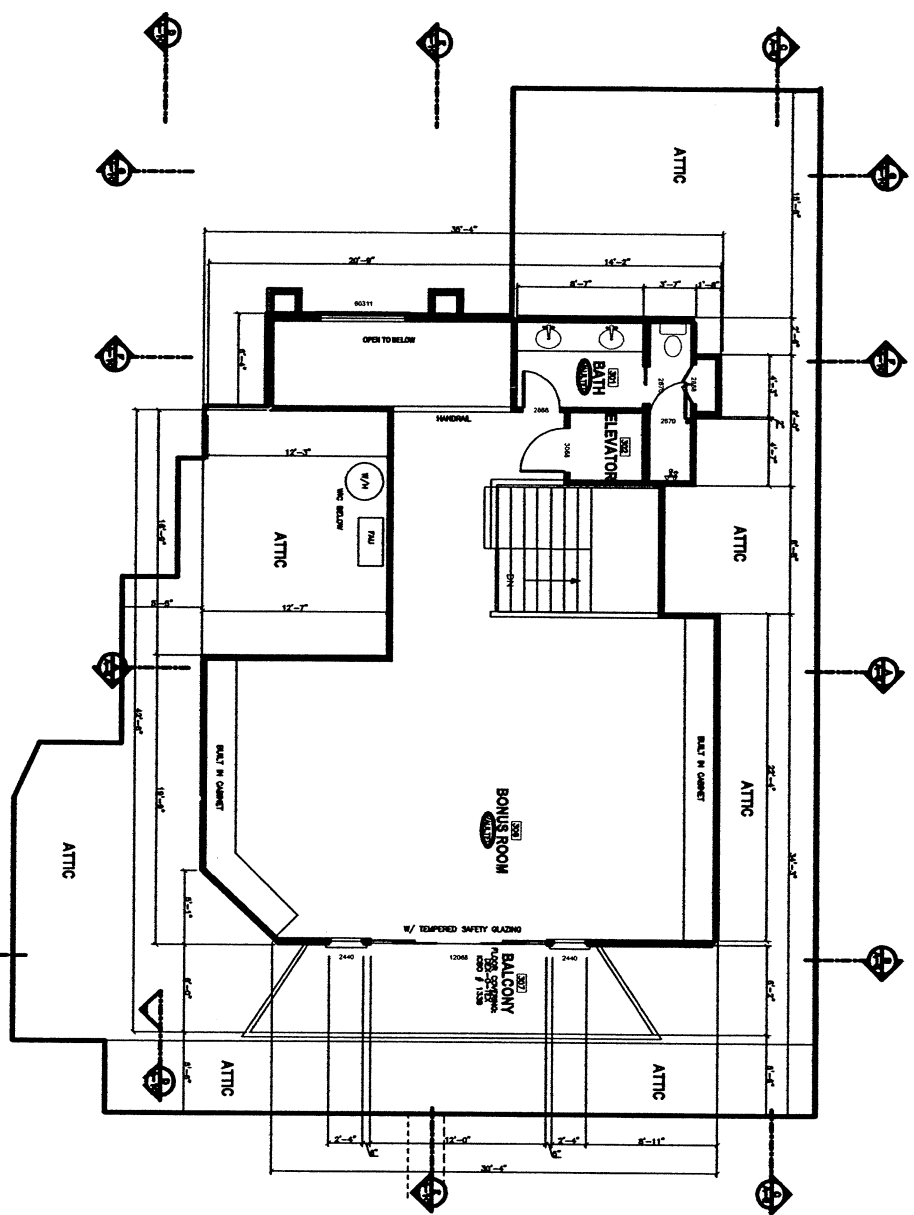
CIVILIAN DESIGN
4144 South Street - Howell & Greg Howell
29561 Suburban Lane, Huntington Beach, CA 92646
email: greg@stonyviewhomes.com phone: 714-483-4866

GENERAL NOTES
A-1

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SCALE: 1/4"=1'-0"

FROM CONSTRUCTION AND MAINTENANCE OF RECORDS WITH ANY DISORDERS


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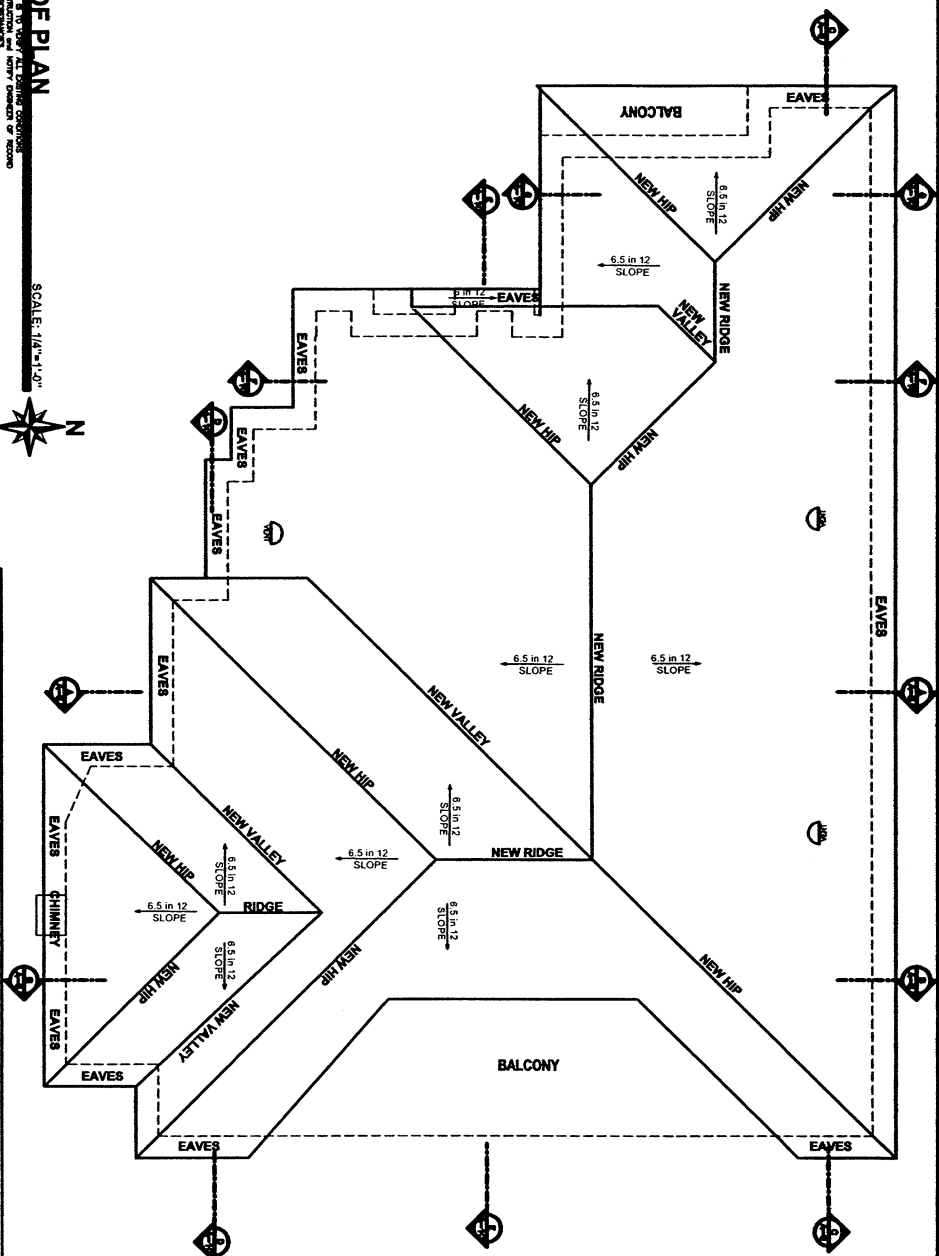
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HUNTINGTON BEAC. CALIFORNIA 92649

SKYVIEW HOMES
a licensed homebuilder in the state of california
elizabeth amerit - howell & greg howell
20561 esurble lane, huntington beach, ca 92646
email: greg@skyviewhomes.com phone: 714-963-4600

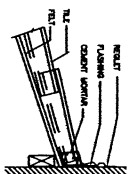
Date	8-1-68
ECU's	1/4 @ 1"-0"
Diameter	
ASB Holes	2 holes
MILS	
Notes	ALUMINUM PLATE
Sheet No.	A-4

CONTRACTOR IS TO VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY DESIGNER OF RECORD WITH ANY DISCREPANCIES

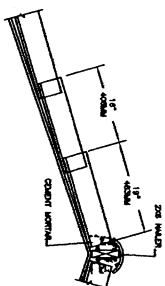
SCALE: 1/4"=1'-0"



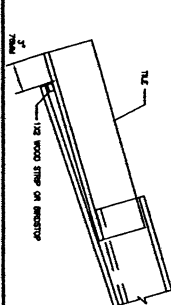
MTS



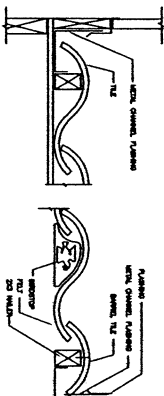
MTS 2



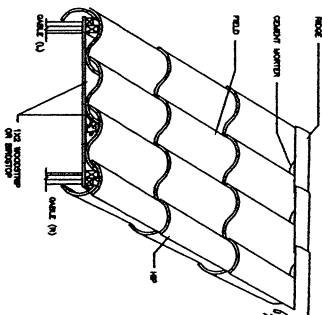
MTS |

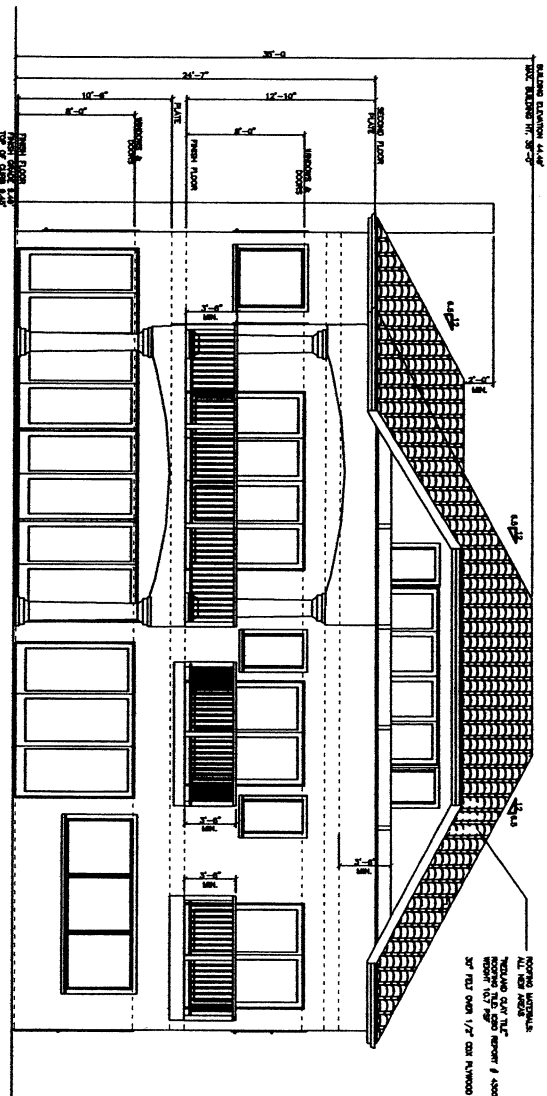
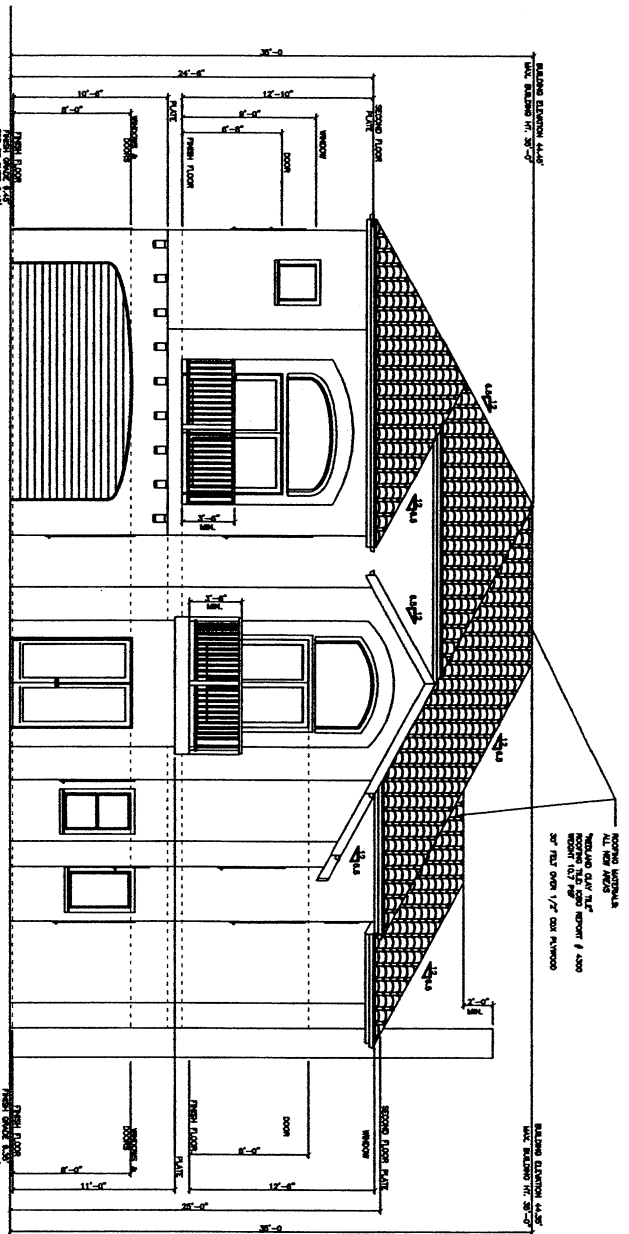


MTB



MTB

[illegible]



3. EXTERIOR PAINTING ON THE LATH
WORK SHALL BE DONE IN ACCORDANCE
WITH THE FOLLOWING SPECIFICATIONS:
(SEE SPEC.)

EXTERIOR LATH & PLASTER

1. EXTERIOR PAINTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
2. EXTERIOR PAINTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
3. EXTERIOR PAINTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
4. EXTERIOR PAINTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
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7. EXTERIOR PAINTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
8. EXTERIOR PAINTING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:

ELEVATION NOTES

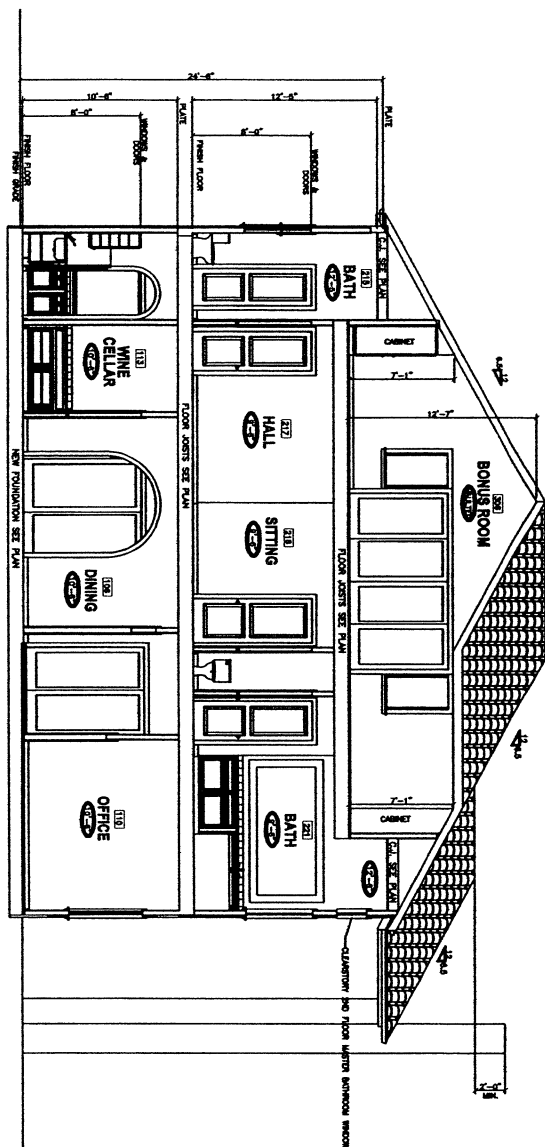
GRAND HOMES

elizabeth smart - howell & greg howell
20501 sandcastle lane, huntington beach, ca 92646
email: greg@skyviewhomes.com phone: 714-883-4800

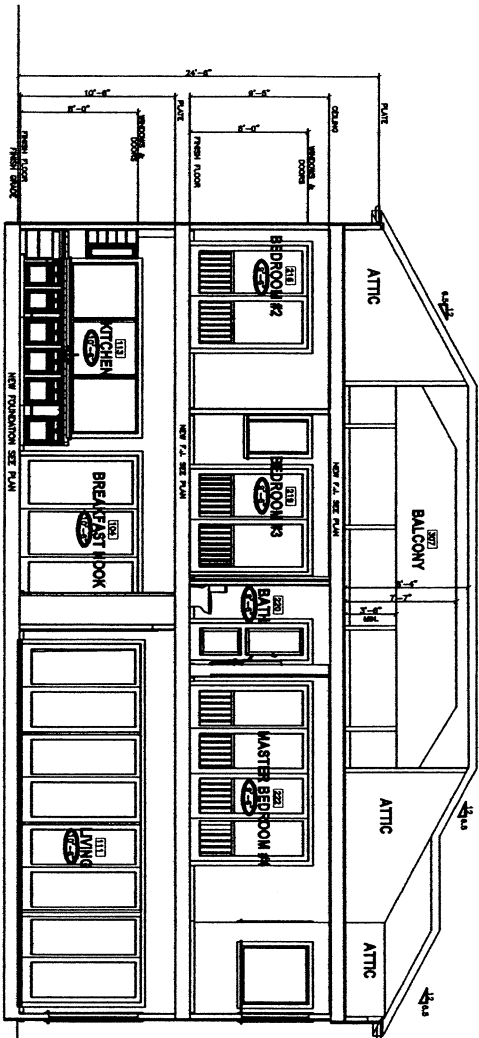
PROPOSED NEW CUSTOM HOME:
THE R.L. BOLLING CO.
3292 FAIR CIRCLE
HUNTINGTON BEACH, CALIFORNIA 92646

A-6

DATE: 1-1-00
SCALE: 1/4"=1'-0"
SHEET NO.: 1
TOTAL SHEETS: 1



SECTION A
FRONT ELEVATION
SCALE: 1/4"=1'-0"



SECTION B
SIDE ELEVATION
SCALE: 1/4"=1'-0"

1. ALL GLAZING SHALL BE AS SHOWN ON ALL ELEVATIONS.
2. ALL GLAZING SHALL BE DOUBLE GLAZED UNLESS NOTED OTHERWISE.
3. ALL GLAZING SHALL BE DOUBLE GLAZED UNLESS NOTED OTHERWISE.
4. ALL GLAZING SHALL BE DOUBLE GLAZED UNLESS NOTED OTHERWISE.

WEATHERPROOF OPENINGS

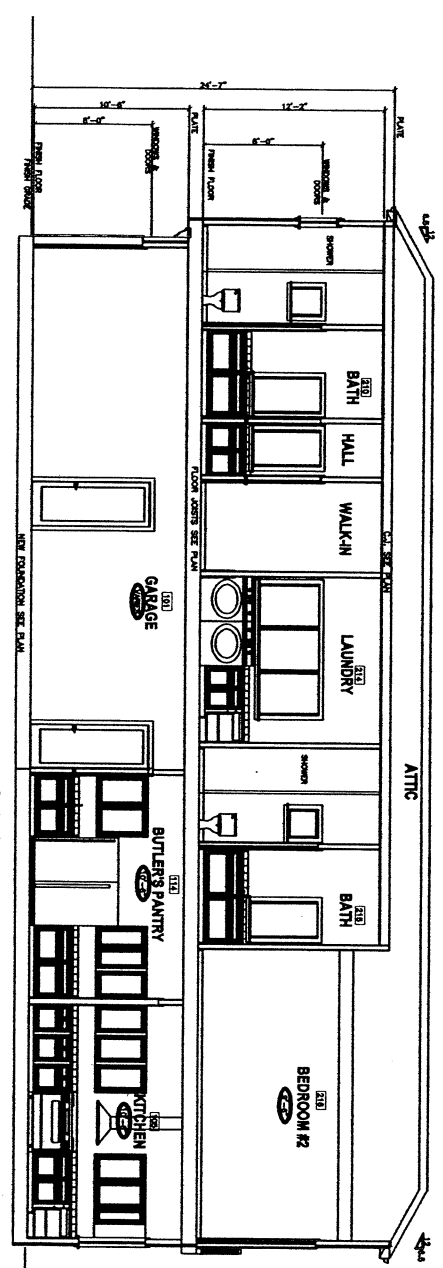
1. WEATHER B-13 WEATHERING IN ALL NEW WALLS.
2. WEATHER B-13 WEATHERING IN ALL NEW WALLS.
3. ALL NEW WINDOWS SHALL BE DUAL GLAZED.
4. ALL NEW WINDOWS SHALL BE DUAL GLAZED.

INSULATION NOTES

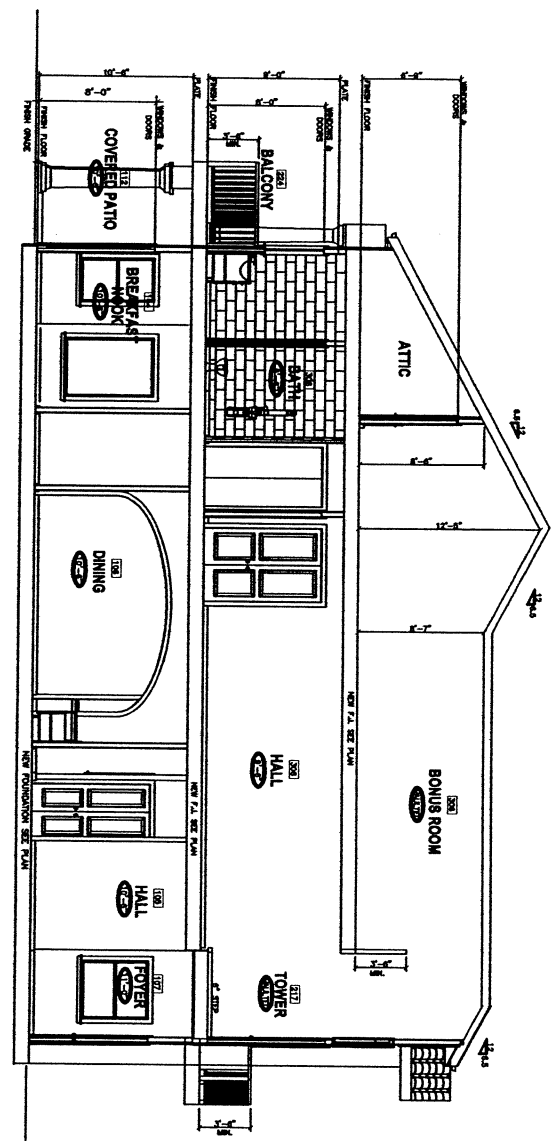
PROPOSED NEW CUSTOM HOME:
THE R.L. POLLING CO.
3292 FALL CIRCLE
HUNTINGTON BEACH, CALIFORNIA 92646

SKYVIEW DESIGNS
elizabeth ament - howell & greg howell
20561 suburban lane, huntington beach, ca 92646
email: greg@skyviewhomes.com phone: 714-983-4800

A-8



SECTION C
 SECTION C IS A CROSS SECTION THROUGH THE HOUSE
 SHOWING THE INTERIOR FINISHES AND MATERIALS
 WITH ANY DIMENSIONS
 SCALE: 1/4"=1'-0"



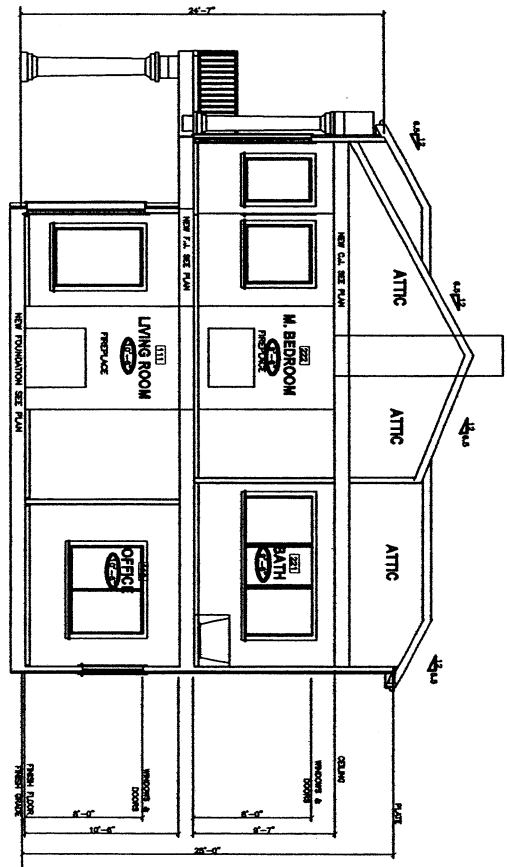
SECTION E
 SECTION E IS A CROSS SECTION THROUGH THE HOUSE
 SHOWING THE INTERIOR FINISHES AND MATERIALS
 WITH ANY DIMENSIONS
 SCALE: 1/4"=1'-0"

- WEATHERPROOF OPENINGS**
1. WEATHERPROOF ALL OPENINGS OF ALL OTHERS
 2. WEATHERPROOF ALL OPENINGS OF ALL OTHERS
 3. WEATHERPROOF ALL OPENINGS OF ALL OTHERS
 4. WEATHERPROOF ALL OPENINGS OF ALL OTHERS
- INSULATION NOTES**
1. WEATHERPROOF ALL OPENINGS OF ALL OTHERS
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 3. WEATHERPROOF ALL OPENINGS OF ALL OTHERS
 4. WEATHERPROOF ALL OPENINGS OF ALL OTHERS

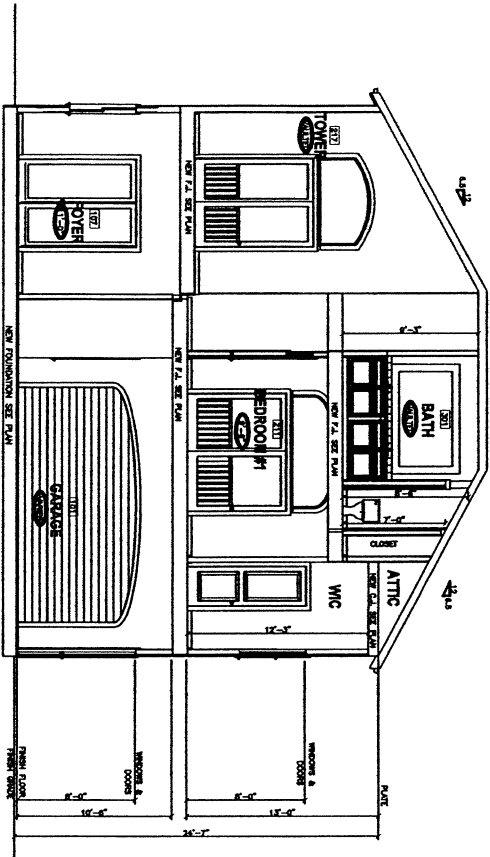
A-9

PROPOSED NEW CUSTOM HOME:
THE R.L. POLLING CO.
 3292 FALL CIRCLE
 HUNTINGTON BEACH, CALIFORNIA 92646

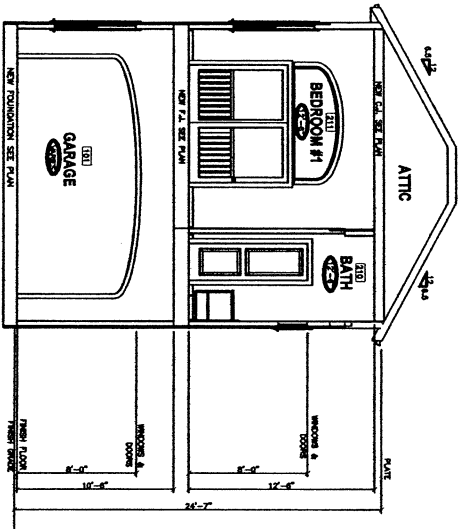
view designs
 elizabeth ament - howell & greg howell
 29501 suburban lane, huntington beach, ca 92646
 email: greg@myviewhomes.com phone: 714-963-4600



SECTION D
 SECTION D TO SHOW ALL EXISTING CONDITIONS
 FROM CONSTRUCTION AND ENTRY DIMENSIONS OF RECORD
 WITH ANY DISCREPANCIES
 SCALE: 1/4"=1'-0"



SECTION E
 SECTION E TO SHOW ALL EXISTING CONDITIONS
 FROM CONSTRUCTION AND ENTRY DIMENSIONS OF RECORD
 WITH ANY DISCREPANCIES
 SCALE: 1/4"=1'-0"



SECTION G
 SECTION G TO SHOW ALL EXISTING CONDITIONS
 FROM CONSTRUCTION AND ENTRY DIMENSIONS OF RECORD
 WITH ANY DISCREPANCIES
 SCALE: 1/4"=1'-0"

1. NEW 1/2" X 6" SOLID PINE FLOORING IN ALL EXISTING
 ROOMS TO BE REPLACED WITH 3/4" X 6" SOLID PINE
 FLOORING. FLOORING TO BE INSTALLED IN
 ROOMS WHERE FLOORING IS IN DISCREPANT
 CONDITION TO THE REST OF THE HOUSE FROM 10'
 EXTERIOR.

WEATHERPROOF OPENINGS

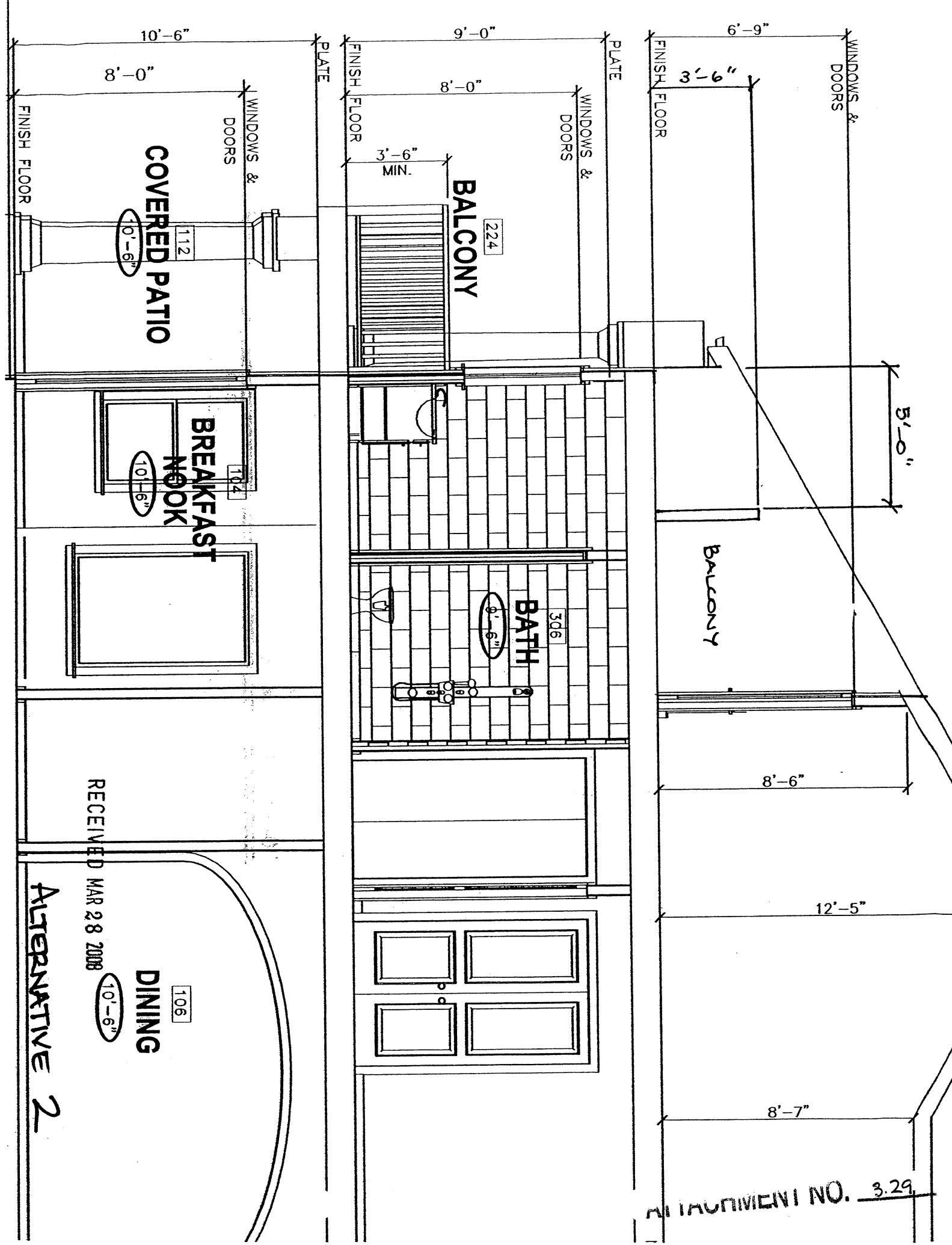
1. INSTALL R-13 INSULATION IN ALL NEW WALLS.
2. INSTALL R-13 INSULATION IN ALL NEW ATTIC WALLS.
3. ALL NEW WINDOWS SHALL BE DUAL GLAZED.
4. ALL NEW DOORS SHALL BE DUAL GLAZED.

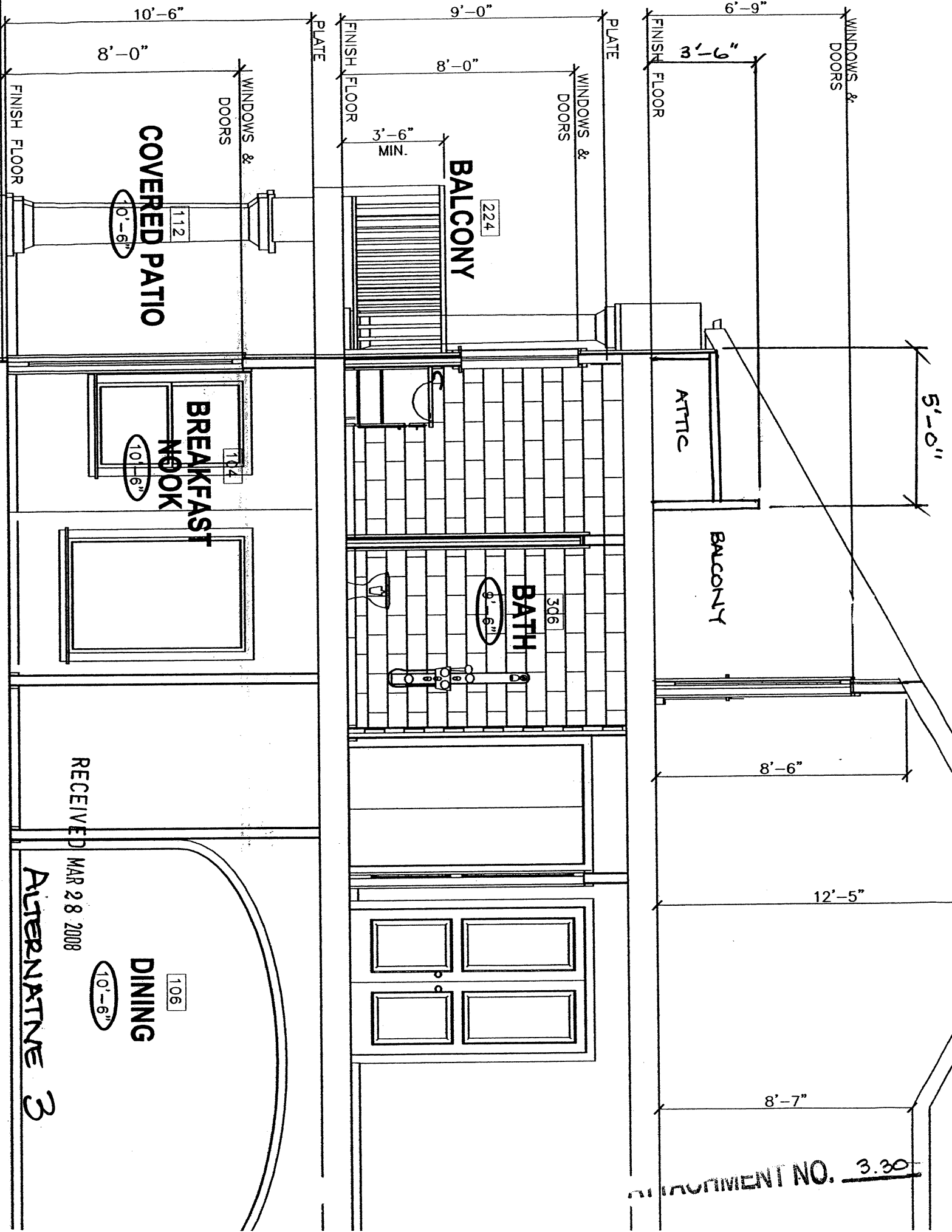
INSULATION NOTES

PROPOSED NEW CUSTOM HOME:
THE R.L. POLLING CO.
 3292 FALL CIRCLE
 HUNTINGTON BEACH, CALIFORNIA 92646

sky view designs
 elizabeth ement - howell & greg howell
 20561 suburbs lane, huntington beach, ca 92646
 email: greg@skyviewhomes.com phone: 714-663-4866

DATE: 1-1-08
 SCALE: 1/4"=1'-0"
 SHEET: 10
 TITLE: 10
 DRAWN BY: 10
 CHECKED BY: 10
 APPROVED BY: 10





RECEIVED MAR 28 2008

ALTERNATIVE 3

ATTACHMENT NO. 3.30



20561 suburbia lane, huntington beach, ca 92646

phone / fax
714.963.4600

Nov. 19, 2007

Address: 3292 Falkland Cir.

The narrative in support of: The Coastal Development Permit Application.

The existing two story single family home is in total disrepair and will be demolished. The owners are proposing to build a three story approximately 6300 sq. ft. home in its place.

The proposed home will be two stories and a third floor bonus room.

A survey of the neighbor's windows has been done to insure privacy concerns.

The third floor bonus room is with in the second story roof element as described by code and the deck has been set back five feet. The deck's line of sight is the public waterway as shown on the site plan A-1.

We look forward to the staff review and application hearing.

Sincerely,
Greg & Elizabeth Howell
Sky View Designs

City of Huntington Beach
NOV 19 2007

ATTACHMENT NO. 3.31

CONDITIONS OF APPROVAL – SPECIAL PERMIT NO. 2008-001:

1. The site plan, floor plans, and elevations received and dated February 13, 2008 shall be the conceptually approved design with the following modification:
 - The proposed 3 ft. high block wall along the front property line shall be removed.
2. Incorporating sustainable or “green” building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green’s Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney’s fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof

ITEM 3: CONDITIONAL USE PERMIT NO. 2007-044; COASTAL DEVELOPMENT PERMIT NO. 2007-018 (HERMAN RESIDENCE)

APPLICANT:	Greg Howell, 20561 Suburbia Lane, Huntington Beach, CA 92646
PROPERTY OWNER:	Stephen Herman – Falkland Investment Trust, 3292 Falkland Circle, Huntington Beach, CA 92649
REQUEST:	CDP: To permit the demolition of an existing dwelling and construction of an approximately 6,208 sq. ft., 35 ft. tall single-family dwelling with a 602 sq. ft. attached garage; CUP: To permit a single-family dwelling with (a) an approximately 1,107 sq. ft. 3 rd floor habitable area, (b) an approximately 148 sq. ft. third story deck, and (c) an overall building height exceeding 30 ft. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/ privacy issues, such as window alignments, building pad height, and floor plan layout.
LOCATION:	3292 Falkland Circle, 92649 (terminus of Falkland Circle, east of Channel Lane)
PROJECT PLANNER:	Andrew Gonzales

Ron Santos, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site on behalf of Andrew Gonzales, Assistant Planner. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff presented a letter from the Huntington Harbor Property Owners' Association recommending denial of the proposed project. Staff reported that five additional letters were received objecting to the proposed height of the development.

Staff stated that the project had been reviewed by the Building and Safety Department, the Public Works Department, and the Fire Department. Staff was advised that the building code had changed and one of those changes was to allow 3rd floor habitable area without a second staircase.

Staff reported that the project is conditioned to provide a 5 ft. setback on all four sides of the third floor and third floor balcony. The applicant submitted an exhibit depicting how the setback could be met.

Mary Beth Broeren, Zoning Administrator, discussed the height of the second story plate line.

THE PUBLIC HEARING WAS OPENED.

Dorothy Ralph, President of the Huntington Harbor Property Association (HHPOA), stated that there are about 3,580 homes in the harbor and less than 2 or 3% that are higher than 30 ft. Ms. Ralph discussed her past experience with another homeowners' association and that they had fought against a higher height. She noted she will try to get the city to change the height limitation.

Mike Pallikan, 16899 Algonquin Street, believes the proposal violates the CC&Rs of the HHPOA and is not compatible with the surrounding neighborhood. The height is above the limits set by the CC&Rs which is 30 ft. The proposed structure is 34 ft. high. Mr. Pallikan also stated the height violates the circulation elements. He indicated that excessive traffic currently plagues the area. He focused on the two car garage and an excessively large bathroom with two sinks that will be adjacent to a bonus room. Mr. Pallikan stated it may be used as a bedroom. He believes it can be used to house many people. He further stated that it presents a safety hazard and wondered if the Fire Department had approved the plans.

Debbie Gravi, 3302 Huntington Drive, represented her mother Norma Coles who resides at 3301 Falkland Circle. She indicated that this residence and the residence approved next to it are unsafe. She explained that her mother will not be able to safely exit her home, due to construction on two adjacent properties. Her mother has just installed solar panels which must be relocated due to the new residence. She was also concerned the home wasn't provided with sufficient parking. She inquired if she should call City Hall when her mother cannot exit her home.

Alicia Dose, 3242 Gilbert Drive, described other problems in the harbor. Specifically she described one incident where her neighbor built something completely different than what was shown on the plans. The city later approved what they built. Ms. Dose claims that this is indicative of how the city operates. She is concerned that this residence is a "spec house".

Greg Howell, applicant, spoke and affirmed that he took into consideration the city guidelines in his plans.

Ms. Ralph spoke again and stated that Mr. Howell's plans were not submitted to the HHPOA for consideration and Mr. Howell responded that he submitted the plans to the HHPOA.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Ms. Broeren responded to comments regarding conditional use permit requests to exceed a height of 30 ft. in the harbor. She explained that these requests come before the Zoning Administration on a regular basis and that many factors are taken into consideration prior to approval. Ms. Dose interrupted to ask how she could find the code for the city and Ms. Broeren stated that it is available on the website.

Ms. Broeren agreed with staff's findings given the lot shape and orientation of the house. She suggested that neighbors opposed to the maximum height allowed by code should work to change the codes in the city.

Ms. Gravi asked who she could complain to regarding construction debris. Ms. Broeren stated that if there are issues regarding how construction is proceeding, Ms. Gravi could contact the city during working hours (Building Inspectors), or the Police Dept. during off hours, and directly with the architect to resolve any complaints. Ms. Broeren referred Ms. Gravi to Mr. Santos for further clarification regarding this issue.

CONDITIONAL USE PERMIT NO. 2007-044; COASTAL DEVELOPMENT PERMIT NO. 2007-018 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project is located in an urbanized residential zone and involves the construction of a new single family dwelling.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-018:

1. Coastal Development Permit No. 2007-018 for the demolition and construction of an approximately 6,208 sq. ft. single-family dwelling with a 602 sq. ft. attached garage conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The development complies with the maximum site coverage, maximum building height, minimum yard setbacks, minimum onsite parking, and third story design criteria. A concurrent application for a conditional use permit is under review to permit a 3rd floor habitable area, 3rd floor deck, and an overall building height of 35 ft.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed addition will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. The development conforms to the public access and public recreation policies of Chapter 3 of the California Coastal Act. The proposed addition will not impede public access or impact public views to coastal resources.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2007-044:

1. Conditional Use Permit No. 2007-044 to permit an approximately 1,107 sq. ft. 3rd floor living area and an approximately 148 sq. ft. 3rd story deck with an overall building height of 35 ft. will not be detrimental to the general welfare of person working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed habitable area will be located within the confines of the second-story roof volume, thus minimizing mass and bulk of the structure. The overall building height is not anticipated to impact surrounding properties because the project is mainly adjacent to two-story single family residences. The proposed rooftop deck will be located at the rear of the house and oriented toward the public right-of-way to insure privacy for adjacent properties. The proposed rooftop deck is setback more than 13 ft. from adjacent residential properties, and at least five ft. from the building exterior.
2. The conditional use permit will be compatible with surrounding uses consisting of single-family homes because the three-story residence is designed to be comparable to other two-story homes in the vicinity. The home is designed as a two-story residence with the 3rd floor habitable area and rooftop deck integrated within the confines of the 2nd story roof. The habitable area and rooftop deck is contained within the 2nd floor roof volume and orientated toward the Shelter Channel with sufficient setbacks from the building exterior to insure privacy for adjacent properties.

3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The project complies with maximum lot coverage, minimum building setbacks, and maximum building height. An overall building height of 35 ft., 3rd floor habitable area, and 3rd floor deck are allowed in the base zoning district with approval of a conditional use permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL-7 (Low Density Residential—7 units per acre) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:
 - a. LU 9.2.1b: Use of building heights, grade elevations, orientation, and bulk that are compatible with the surrounding development;
 - b. LU 9.2.1d: Maintenance of privacy on abutting residences.

The development will comply with maximum building height permitted in the RL zone. The proposed 3rd floor habitable area and rooftop deck are designed within the confines of the 2nd story roof volume and located in the approximate center of the lot with sufficient setbacks from the building exterior. The addition is designed to minimize mass and bulk and impacts to privacy on adjoining properties. The proposed deck will be architecturally integrated into the design of the house, screened from view on three sides by the second-story roof, and not visible from the surrounding properties.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-018/CONDITIONAL USE PERMIT NO. 2007-044:

1. The site plan, floor plans, and elevations received and dated February 7, 2008 shall be the conceptually approved design with the following modifications:
 - a. All drawings (plans, sections) shall depict all portions of the third floor bathroom with a five ft. minimum setback from the second story façade, consistent with the third floor plan received March 28, 2008 and identified as "Exhibit A".
 - b. All drawings (plans, elevations, sections) shall depict the third floor balcony with a five ft. minimum setback from the second story façade consistent with one of the section drawings received March 28, 2008 and identified as "Alternative 1", "Alternative 2", and "Alternative 3".
2. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryId=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

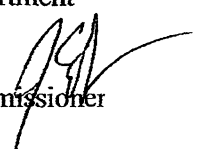
The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

THE MEETING WAS ADJOURNED AT 2:40 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, APRIL 9, 2008 AT 1:30 PM.


Mary Beth Broeren
Zoning Administrator

:pa

TO: Scott Hess, AICP, Director
Planning Department

FROM: John Scandura 
Planning Commissioner

SUBJECT: Appeal of Zoning Administrator Decision for Conditional Use Permit No 2007-044/Coastal Development Permit No. 2007-018 (Herman Residence)

DATE: April 14, 2008

I hereby appeal the Zoning Administrator's April 2, 2008 approval of Conditional Use Permit (CUP) No 2007-044/Coastal Development Permit (CDP) No. 2007-018. The CUP/CDP permits the demolition of an existing residence and construction of a 6,208 sq. ft., 35-foot tall single family dwelling at 3292 Falkland Circle. The new structure will also have a 602 sq. ft. garage for a total area of 6,810 square feet.

Most of the existing houses on Falkland Circle average 2,300 to 2,700 sq. ft. of habitable area. The new 6,208 sq. ft. dwelling will be two and one-half times the size of most houses on Falkland Circle, and over 2,000 sq. ft. larger than the single largest existing dwelling on this street. The new dwelling will also be more than 1,800 sq. ft. larger than another dwelling approved for the adjacent lot on April 2, 2008 (see CUP No. 2008-004/CDP No. 2008-007).

I am concerned that the size and mass of the approved structure is out of scale with most homes on Falkland Circle and Admiralty Island. No other home on this street is as large as the proposed dwelling and few homes are of comparable size within the vicinity of this project. The approval of this dwelling is inconsistent with General Plan Objective LU 9.2, which provides for the preservation of existing residential neighborhoods. The dwelling is incompatible with General Plan Policy LU 9.2.1 that "requires all new residential development within existing residential neighborhoods (i.e., infill) to be compatible with existing structures." Subsection (b) of this same policy requires "the use building heights, grade elevations, orientation, and bulk that are compatible with the surrounding development" (page II-LU-31, Huntington Beach General Plan dated May 13, 1996).

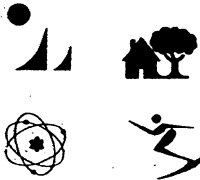
The Planning Commission should review the design of the structure for alterations to reduce the mass and bulk of the dwelling so that it is visually compatible with other houses on Falkland Circle and Admiralty Island. If you have any questions, please do not hesitate to call me.

cc: Tom Livengood, Chair
Planning Commission

Herb Fauland, Planning Manager
Planning Department

City of Huntington Beach

APR 14 2008



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING

Phone 536-5271
Fax 374-1540

January 28, 2008

Greg Howell
20561 Suburbia Lane
Huntington Beach, CA 92646

**SUBJECT: COASTAL DEVELOPMENT PERMIT NO. 2007-018; CONDITIONAL USE
PERMIT NO. 2007-044
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

Dear Mr. Howell,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Zoning Administrator. Please note that if the design of your project or site conditions change, the list may also change.

The attached project implementation code requirements may be appealed to the Planning Commission as a matter separate from the associated entitlement(s) within ten calendar days of the approval of the project pursuant to the Huntington Beach Zoning and Subdivision Ordinance Section 248.24. The appeal fee is \$494.00.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at agonzales@surfcity-hb.org or 714-374-1547 and/or the respective source department (contact person below).

Sincerely,

Andrew Gonzales
Assistant Planner

Enclosures: Planning Department requirements dated January 28, 2008
Fire Department requirements dated January 21, 2008
Public Works Department requirements dated January 17, 2008
Building & Safety Department requirements dated January 10, 2008

Cc: Jason Kwak, Building and Safety Department – 714-536-5278
Lee Caldwell, Fire Department – 714-536-5531
James Wagner, Public Works – 714-536-5467
Herb Fauland, Planning Manager
Jason Kelley, Planning Department
Project File



CITY OF HUNTINGTON BEACH PLANNING DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: JANUARY 28, 2008
PROJECT NAME: HERMAN RESIDENCE
ENTITLEMENTS: COASTAL DEVELOPMENT PERMIT NO. 2007-018; CONDITIONAL USE PERMIT NO. 2007-044
DATE OF PLANS: NOVEMBER 19, 2007
PROJECT LOCATION: 3292 FALKLAND CIRCLE (TERMINUS OF FALKLAND CIRCLE, EAST OF CHANNEL LANE)
PLAN REVIEWER: ANDREW GONZALES, ASSISTANT PLANNER
TELEPHONE/E-MAIL: 714-374-1547; AGONZALES@SURFCITY-HB.ORG
PROJECT DESCRIPTION: **CDP:** TO PERMIT AN APPROXIMATELY 6,065 SQ. FT. SINGLE FAMILY DWELLING WITH AN ATTACHED 602 SQ. FT. GARAGE, **CUP:** TO PERMIT AN APPROXIMATELY 1,072 SQ. FT. 3RD FLOOR LIVING AREA WITH A 380 SQ. FT. ROOF DECK. THE REQUEST INCLUDES A REVIEW AND ANALYSIS FOR COMPLIANCE WITH THE INFILL LOT ORDINANCE. THE INFILL LOT ORDINANCE ENCOURAGES ADJACENT PROPERTY OWNERS TO REVIEW PROPOSED DEVELOPED FOR COMPATIBILITY/PRIVACY ISSUES, SUCH AS WINDOW ALIGNMENTS, BUILDING PAD HEIGHT, AND FLOOR PLAN LAYOUT.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Zoning Administrator in conjunction with the requested entitlement(s), if any, will also be provided should the project receive approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

CONDITIONAL USE PERMIT NO. 2007-044; COASTAL DEVELOPMENT PERMIT NO. 2007-018:

1. The site plan, floor plans, and elevations approved by the Zoning Administrator shall be the conceptually approved design with the following modifications:
 - a. All exterior mechanical equipment shall be screened from view on all sides. Rooftop mechanical equipment shall be setback a minimum of 15 feet from the exterior edges of the building. Equipment to be screened includes, but is not limited to, heating, air conditioning, refrigeration equipment, plumbing lines, ductwork and transformers. Said screening shall be architecturally compatible with the building in terms of materials and colors. If screening is not designed specifically into the building, a rooftop mechanical equipment plan showing proposed screening must be submitted for review and approval with the application for building permit(s).

- b. Depict the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items on the site plan and elevations. If located on a building, they shall be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas and comply with required setbacks.
2. Prior to issuance of demolition permits, the following shall be completed:
 - a. The applicant shall follow all procedural requirements and regulations of the South Coast Air Quality Management District (SCAQMD) and any other local, state, or federal law regarding the removal and disposal of any hazardous material including asbestos, lead, and PCB's. These requirements include but are not limited to: survey, identification of removal methods, containment measures, use and treatment of water, proper truck hauling, disposal procedures, and proper notification to any and all involved agencies.
 - b. Pursuant to the requirements of the South Coast Air Quality Management District, an asbestos survey shall be completed.
 - c. The applicant shall complete all Notification requirements of the South Coast Air Quality Management District.
 - d. The City of Huntington Beach shall receive written verification from the South Coast Air Quality Management District that the Notification procedures have been completed.
 - e. All asbestos shall be removed from all buildings prior to demolition of any portion of any building.
3. Prior to submittal for building permits, the Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
4. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - c. Truck idling shall be prohibited for periods longer than 10 minutes.
 - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - e. Discontinue operation during second stage smog alerts.
 - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/ grading activity.
 - g. All Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays.
5. The final building permit(s) cannot be approved until the following has been completed:
 - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.

- b. The applicant shall obtain the necessary permits from the South Coast Air Quality Management District and submit a copy to Planning Department.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
6. The Development Services Departments (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.
 7. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
 8. Coastal Development Permit No. 2007-018 and Conditional Use Permit No. 2007-044 shall not become effective until the ten working day appeal period has elapsed for Coastal Development Permits. For projects in the appealable area of the coastal zone, there is an additional ten working day appeal period that commences when the California Coastal Commission receives the City's notification of final action.
 9. Coastal Development Permit No. 2007-018 and Conditional Use Permit No. 2007-044 shall become null and void unless exercised within one year of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Department a minimum 30 days prior to the expiration date.
 10. The Zoning Administrator reserves the right to revoke Coastal Development Permit No. 2007-018 and Conditional Use Permit No. 2007-044 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs.
 11. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein.
 12. Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays.
 13. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Exemption at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Zoning Administrator's approval of entitlements.
 14. Any proposed cantilevered deck, dock, and/or ramp improvements located in the public waterway shall require separate permits.



CITY OF HUNTINGTON BEACH FIRE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: JANUARY 21, 2008
PROJECT NAME: NEW SFD – HERMAN RESIDENCE
ENTITLEMENTS: CDP# 2007-018; CUP# 2007-044
PROJECT LOCATION: 3292 FALKLAND, HUNTINGTON BEACH, CA
PLANNER: ANDREW GONZALES, ASSISTANT PLANNER
TELEPHONE/E-MAIL: (714) 374-1547/ agonzales@surfcity-hb.org
PLAN REVIEWER-FIRE: LEE CALDWELL, FIRE DEVELOPMENT SPECIALIST
TELEPHONE/E-MAIL: (714) 536-5531/ lcaldwell@surfcity-hb.org
PROJECT DESCRIPTION: **CDP:** To permit an approximately 6,065 sq. ft. single-family dwelling with an attached 602 sq. ft. garage, **CUP:** To permit an approximately 1,072 sq. ft. 3rd floor living area with a 380 sq. ft. roof deck. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor plan layout.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated December 21, 2007. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. If you have any questions regarding these requirements, please contact the Plan Reviewer- Fire: LEE CALDWELL, FIRE DEVELOPMENT SPECIALIST.

PRIOR TO DEMOLITION, GRADING, SITE DEVELOPMENT, ISSUANCE OF GRADING PERMITS, BUILDING PERMITS, AND/OR CONSTRUCTION, THE FOLLOWING SHALL BE REQUIRED:

- a. **Residential (NFPA 13D) Automatic Fire Sprinklers** are required (See note # 1). Proposed design contains a single "fire area" of 6,065 square feet. NFPA 13D automatic fire sprinkler systems are required per Huntington Beach Fire Code for new residential one and two family dwellings and manufactured homes with "fire areas" 5000 square feet or more or for residential buildings 10,000 square feet or more. An addition of square footage to an existing home also triggers this requirement. Separate plans (three sets) shall be submitted to the Fire Department for permits and approval. Automatic fire sprinkler systems must be maintained operational at all times. For Fire Department approval, reference that a fire sprinkler system will be installed in compliance with the Huntington Beach Fire Code, NFPA 13, and City Specification # 420 - *Automatic Fire Sprinkler Systems* in the plan notes.

NOTE 1: Significant changes to the Huntington Beach Fire Code have occurred as of January 1, 2008 as a result of the adoption of the International Fire and Building Codes by the State of California. An option may be available to the applicant to demise a portion of the structure with a rated fire barrier. Fire sprinklers will be required for fire areas 5000 square feet or greater or combined floor areas 10,000 square feet or greater per adopted Huntington Beach Fire Department amendments. (FD)

NOTE 2: When buildings under construction are more than one (1) story in height and required to have automatic fire sprinklers, the fire sprinkler system shall be installed and operational to protect all floors lower than the floor currently under construction. Fire sprinkler systems for the current floor under construction shall be installed, in-service, inspected and approved prior to beginning construction on the next floor above. (FD)

- b. ***Residential (NFPA 13D) Automatic Fire Sprinklers Systems Supply.*** Residential NFPA 13D fire sprinkler systems supply shall be a minimum of a one inch (1") water meter service, installed per Fire Department, Public Works, and Water Division Standards. Depending on fire sprinkler system demands, larger water service may be required. Separate plans shall be submitted to the Public Works Department for approval and permits, and must be completed prior to issuance of a grading permit. The water service improvements shall be shown on a precise grading plan, prepared by a Licensed Civil Engineer. Contact Huntington Beach Public Works Department (714-536-5431) for water meter requirements. (FD)

THE FOLLOWING CONDITIONS SHALL BE MAINTAINED DURING CONSTRUCTION:

- a. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with City Specification #426, Fire Safety Requirements for Construction Sites. (FD)

OTHER:

- a. Discovery of additional soil contamination or underground pipelines, etc., must be reported to the Fire Department immediately and the approved work plan modified accordingly in compliance with City Specification #431-92 Soil Clean-Up Standards. (FD)
- b. Outside City Consultants The Fire Department review of this project and subsequent plans may require the use of City consultants. The Huntington Beach City Council approved fee schedule allows the Fire Department to recover consultant fees from the applicant, developer or other responsible party. (FD)

Fire Department City Specifications may be obtained at:

Huntington Beach Fire Department Administrative Office

City Hall 2000 Main Street, 5th floor

Huntington Beach, CA 92648

or through the City's website at www.surfcity-hb.org

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.



CITY OF HUNTINGTON BEACH PUBLIC WORKS DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: JANUARY 17, 2008
PROJECT NAME: HERMAN RESIDENCE
ENTITLEMENTS: CDP 07-018 AND CUP 07-044
PLNG APPLICATION NO. 2007-0256
DATE OF PLANS: NOVEMBER 19, 2007
PROJECT LOCATION: 3292 FALKLAND CIRCLE
PROJECT PLANNER ANDREW GONZALES, ASSISTANT PLANNER
TELEPHONE/E-MAIL: 714-374-1547 / AGONZALES@SURFCITY-HB.ORG
PLAN REVIEWER: JAMES WAGNER, SENIOR CIVIL ENGINEER
TELEPHONE/E-MAIL: 714-536-5467 / JWAGNER@SURFCITY-HB.ORG
PROJECT DESCRIPTION: CDP: To permit an approximately 6,065 sq. ft. single family dwelling with an attached 602 sq. ft. garage, CUP: To permit an approximately 1,072 sq. ft. 3rd floor living area with a 380 sq. ft. roof deck. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor play layout.

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer or Project Planner.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A GRADING PERMIT:

1. The site plan received and dated November 19, 2007 shall be the conditionally approved layout except for:

2. A Precise Grading Plan, prepared by a Licensed Civil Engineer, shall be submitted to the Public Works Department for review and approval. (MC 17.05/ZSO 230.84) The plans shall comply with Public Works plan preparation guidelines and include the following improvements on the plan:
 - a. The minimum finished floor elevation for the new house shall be 10.00 feet North American Vertical Datum of 1988. (NAVD 88)
 - b. The existing sewer lateral may potentially be utilized if it is of adequate size, conforms to current Public Works Standards and is determined to be in serviceable condition by submitting a video of the lateral. If the sewer is determined to be inadequate, a new sewer lateral shall be installed, connecting to the main in the alley, per Public Works Standards. (ZSO 230.84)
 - c. A new domestic water service and meter shall be installed per Water Division Standards, and sized to meet the minimum requirements set by the California Plumbing Code (CPC) and Uniform Fire Code (UFC). The domestic water service shall be a minimum of (1-inch in size. (MC 14.08.020)
 - d. The irrigation water service may be combined with the domestic water service. (ZSO 230.84)
 - e. A separate backflow protection device shall be installed per Water Division Standards for domestic water service. (Resolution 5921 and Title 17)
 - f. The existing domestic water service and meter shall be abandoned per Water Division Standards. (Title 17)
 - g. Indicate the type and location of Water Quality Treatment Control BMPs on the Grading Plan consistent with the Project WQMP. The WQMP shall follow the City of Huntington Beach's Project WQMP Preparation Guidance Manual dated June 2006. The WQMP shall be submitted with the first submittal of the Grading Plan.
3. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Public Works Department for review and approval by the Public Works and Planning Departments. (ZSO 232.04)
 - a. Existing mature trees that are to be removed must be replaced at a 2 for 1 ratio with a 36" box tree or palm equivalent (13'-14' of trunk height for Queen Palms and 8'-9' of brown trunk).
 - b. "Smart irrigation controllers" and/or other innovative means to reduce the quantity of runoff shall be installed. (ZSO 232.04D)
 - c. Standard landscape code requirements apply. (ZSO 232)
4. All landscape planting, irrigation and maintenance shall comply with the City Arboricultural and Landscape Standards and Specifications. (ZSO 232.04B)
5. Landscaping plans should utilize native, drought-tolerant landscape materials where appropriate and feasible. (DAMP)
6. A Project Water Quality Management Plan (WQMP) conforming to the City of Huntington Beach's Project WQMP Preparation Guidance Manual dated June 2006 and prepared by a Licensed Civil Engineer, shall be submitted to the Department of Public Works for review and acceptance and shall include the following:
 - a. Discusses regional or watershed programs (if applicable)

- b. Addresses Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas
 - c. No copper roofing or downspout shall be incorporated into the design (EPA)
 - d. Incorporates the applicable Routine Source Control BMPs as defined in the Drainage Area Management Plan (DAMP)
 - e. Incorporates Treatment Control BMPs as defined in the DAMP
 - f. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs
 - g. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs
 - h. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs
 - i. Includes an Operations and Maintenance (O&M) Plan for all structural BMPs
 - j. After incorporating plan check comments of Public Works, three final WQMPs (signed by the owner and the Registered Civil Engineer of record) shall be submitted to Public Works for acceptance. After acceptance, two copies of the final report shall be returned to applicant for the production of a single complete electronic copy of the accepted version of the WQMP on CD media that includes:
 - i) The 11" by 17" Site Plan in .TIFF format (400 by 400 dpi minimum).
 - ii) The remainder of the complete WQMP in .PDF format including the signed and stamped title sheet, owner's certification sheet, Inspection/Maintenance Responsibility sheet, appendices, attachments and all educational material.
 - k. The applicant shall return one CD media to Public Works for the project record file.
7. A soils report, prepared by a Licensed Engineer shall be submitted for reference only. (MC 17.05.150)

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH DURING GRADING OPERATIONS:

- 1. An Encroachment Permit is required for all work within the City's right-of-way. (MC 12.38.010/MC 14.36.030)
- 2. All haul trucks shall arrive at the site no earlier than 8:00 a.m. or leave the site no later than 5:00 p.m., and shall be limited to Monday through Friday only. (MC 17.05)
- 3. Comply with appropriate sections of AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas. (AQMD Rule 403)
- 4. All construction materials, wastes, grading or demolition debris and stockpiles of soils, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent transport into surface or ground waters by wind, rain, tracking, tidal erosion or dispersion. (DAMP)

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO
ISSUANCE OF A BUILDING PERMIT:**

1. A Precise Grading Permit shall be issued. (MC 17.05)

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO FINAL
INSPECTION OR OCCUPANCY:**

1. Complete all improvements as shown on the approved grading and landscape plans. (MC 17.05)
2. Prior to grading or building permit close-out and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
 - a. Demonstrate that all structural Best Management Practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
 - b. Demonstrate all drainage courses, pipes, gutters, basins, etc. are clean and properly constructed.
 - c. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
 - d. Demonstrate that an adequate number of copies of the approved Project WQMP are available for the future occupiers.
3. All new utilities shall be undergrounded. (MC 17.64)
4. All applicable Public Works fees shall be paid at the current rate unless otherwise stated, per the Public Works Fee Schedule adopted by the City Council and available on the city web site at http://www.surfcity-hb.org/files/users/public_works/fee_schedule.pdf. (ZSO 240.06/ZSO 250.16)
5. An onsite 36" box tree or the palm equivalent shall be provided in the front yard to meet the Huntington Beach; Zoning and Subdivision Ordinance, the Arboricultural and Landscape Standards and Specifications, and the Municipal Code. (ZSO 232.08, Resolution 4545, MC 13.50).



**CITY OF HUNTINGTON BEACH
DEPARTMENT OF BUILDING & SAFETY
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

DATE: January 10, 2008
PROJECT NAME: HERMAN RESIDENCE
ENTITLEMENTS: PLANNING APPLICATION NO. 2007-0256, CUP# 07-018
DATE OF PLANS: November 19, 2007
PROJECT LOCATION: 3292 FALKLAND CIRCLE, HUNTINGTON BEACH, CA
PROJECT PLANNER: ANDREW GONZALES, ASSISTANT PLANNER
TELEPHONE/E-MAIL: (714) 374-1547 / agonzales@surfcity-hb.org
PLAN REVIEWER: JASON KWAK, PLAN CHECK ENGINEER
TELEPHONE/E-MAIL: (714) 536-5278 / jkwak@surfcity-hb.org
PROJECT DESCRIPTION: To permit the demolition of an existing single family home and permit the construction of a 6065 sq. ft. single family home including third floor habitable area at total building height of 34'-7"

The following is a list of code requirements deemed applicable to the proposed project based on plans received as stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. This list is not intended to be a full and complete list and serves only to highlight possible building code issues on the proposed preliminary plans. Electrical, plumbing, and mechanical items are not included in this review. If you have any questions regarding these comments, please contact the plan reviewer.

I. SPECIAL CONDITIONS:

1. None

II. CODE ISSUES BASED ON PLANS & DRAWINGS SUBMITTED:

1. Project shall comply with the 2007 California Building Code, 2007 California Mechanical Code, 2007 California Plumbing Code, 2007 California Electrical Code, 2005 California Energy Code and the Huntington Beach Municipal Code (HBMC). Compliance to all applicable state and local codes is required prior to issuance of building permit.

City of Huntington Beach

JAN 10 2008

Admiralty Island Housing Survey

ADDRESS	LOT SIZE (SQ. FT.)	FRONTAGE (L.F.)	BUILDING SQ. FT. (dwelling & garage)	STORIES	GARAGE PARKING SPACES
3252 Devon	6,921	57.76 (20' R)	2,800, 560 G	2	2
3261 Devon	7,483	48.92 (20' R)	2,909, 431 G	1	2
3271 Devon	6,109	62.00	2,150, 430 G	1	2
3272 Devon	6,006	60.00	3,000, 621 G	1	2
3281 Devon	6,183	62.00	3,184, 430 G	2	2
3282 Devon	6,010	60.00	4,381, 666 G	2	3
3291 Devon	6,179	62.00	2,150, 430 G	1	2
3292 Devon	6,217	63.39	2,430, 570 G	2	2
3301 Devon	6,891	73.67	3,898, 430 G	2	2
3311 Devon	8,291	36.88	5,376, 703 G	3	3
3312 Devon	6,520	61.21	3,550, 430 G	2	2
3321 Devon	5,848	37.60	2,150, 430 G	1	2
3322 Devon	7,735	33.19	4,324, 535 G	3	3
3251 Easter	7,219	44.83 (20' R)	2,400, 400 G	1	2
3262 Easter	6,921	57.76 (20' R)	2,414, 420 G	2	2
3271 Easter	5,988	60.00	NO RECORD	1	2
3272 Easter	6,006	60.00	2,447, 440 G	1	2
3291 Easter	6,053	61.68	2,150, 430 G	1	2
3292 Easter	6,907	62.38	3,823, 636 G	1	2
3301 Easter	6,361	56.73	2,700, 484 G	1	2
3311 Easter	8,014	42.22	5,580, 606 G	3	3
3312 Easter	8,114	48.21	2,750, 550 G	1	2
3322 Easter	7,209	48.57	2,500, 780 G	3	4
3242 Falkland	5,995	36.15	2,863, 507 G	2	2
3251 Falkland	5,504	43.08	2,477, 550 G	2	2
3252 Falkland	4,791	50.00	2,250, 500 G	2	2
3261 Falkland	4,707	50.53	2,320, 453 G	2	2
3262 Falkland	5,275	59.29	1,762, 504 G	1	2
3271 Falkland	5,324	55.97	3,441, 576 G	2	2
3281 Falkland	5,191	33.03	3,870, 480 G	2	2
3282 Falkland	5,007	33.02	4,433, 513 G	2	2
3291 Falkland	5,887	30.58	2,880, 530 G	2	2
3292 Falkland	6,300	30.09	2,483, 428 G	2	2
3301 Falkland	5,406	29.20	2,200, 672 G	2	3

Van Dorn, Kay

From: Dapkus, Pat
 Sent: Wednesday, April 16, 2008 9:16 AM
 To: Van Dorn, Kay
 Subject: FW: Request to appeal Falkland: Prudence PLEASE!

Pat Dapkus
 (714) 536-5579
 (714) 536-5233 (FAX)

P Save A Tree - please don't print this unless you really need to.

-----Original Message-----

From: Alicia Dose-Wild [mailto:alicia@century21ontarget.com]
 Sent: Tuesday, April 15, 2008 10:24 PM
 To: CITY COUNCIL
 Subject: Request to appeal Falkland: Prudence PLEASE!

Request to appeal Falkland: 2 side by side 5k and 6k sq. ft. homes w/ 2 car garages & 3 stories

I live at 3242 Gilbert Drive on Admiralty Island in Huntington Harbour for more than 10 years. If you drive around, you notice most homes are 1 or 2 stories. If you look at the NEW homes that have been built, the overwhelming majority have either 3 or 4 car garages. And they are 3-4,000 square feet. In fact the most recent one to sell is 5,600 sq ft and has a 4 car garage.

Ironically the "smaller" home (almost 5k square feet) proposes to have a lift for a 3rd space. Lifts are cheap from China now, and take a while to operate, no one will use that on a daily basis.

It is common sense that the larger homes will have more people and more cars. And the lot will be so built up that there will be little drive way space.

On top of it these homes are on the inside tight curve of a cul-de-sac, which already means no street parking.

As you can see, I am in real estate and have been for many years, yet am opposed to doing things that do not make sense for a neighborhood because ultimately it will bring down the value - and quality of life for the residents. I believe the planning department sometimes gets carried away and forgets to look after the interests of all of the residents, which is why the city council is elected.

I urge you to appeal this. It is very expensive at about \$1500 for one person to do - and time consuming as many residents are very elderly and not well, including Norma who lives right next door and just lost her husband. In my case my mom is quite ill with cancer, just getting out of a week+ stay in the hospital and requires daily attention to chemo and radiation appointments at UCLA. Nonetheless, I do think it is the responsibility of the planning commission or someone other than the planning department which does not always look at the entire picture - as I have seen with other neighborhood issues, which I will not elaborate on here.

PLEASE REVIEW THIS AND APPEAL THIS.

Thank you. Alicia Dose, 3242 Gilbert cell: (562) 257-8540

PS- At the April 2, 2008 1 pm meeting/hearing about this matter, it came to our attention during the meeting that letters that were personally delivered were lost. Furthermore, no matter what anyone would have said, the planning department was not going to listen. In

fact, one member in particular was condescending and bordered heavily insulting. Many neighbors have been trained, including I am not far behind, not to bother going because it does no good. This is unfortunate, but you should go to such a meeting that is not taped for public viewing. The city, its reputation and its residents will pay the price in the long run.

3056

Thursday
April 9, 2008

Attention: Kathy (Secretary to Council)

Dear Council Members:

We recently received notice that two properties on Tuckland Circle here in the Harbour, are planning on constructing three story residences.

What are they thinking about? Parking is already a premium and we do not need more density.

As a thirty three year resident of the Harbour, I have seen many changes. Some good, some bad. This definitely is bad! Please reconsider your decision. (In the light of current real estate market.)

Thank You for allowing me to voice my opinion.

Sincerely,
Mrs. Genevieve L. Valov

Mr. & Mrs. Peter A. Valov
16631 Peale Ln.
Huntington Beach CA 92649-2831

(562) 592-1019

ATTACHMENT NO. 3.54

From: Michael Palikan [mailto:MPalikan@mmsa.com]
Sent: Wednesday, April 09, 2008 9:28 AM
To: Wine, Linda
Subject: Please forward to Planning Commissioners

Mike Palikan
17097 Westport Drive
(714) 799-4724

Planning Commission
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648 via email only

Re: Request for appeal from Zoning Administrators approval of Conditional Use Permit No. 2007-044, and Coastal Development Permit No. 2007-018, 3292 Falkland Circle, 92649. Hearing was April 2, 2008.

Honorable Chair and Planning Commission Members:

I request that any member or members of the Huntington Beach Planning Commission appeal the decision of the Huntington Beach Zoning Administrator to the Huntington Beach Planning Commission in the above-referenced matter. I am requesting that an appeal be made because this commercial project is not compatible with the surrounding area, because it is not consistent with the Huntington Beach General Plan, and for other reasons stated below.

I use the term "commercial project" because the homeowners do not intend to live in this dwelling. Their intent is to demolish the existing home and build a new structure in order to sell it and make a profit. In fact it is already listed for sale at the website of homesseekers.com.

The homeowner is proposing to erect a 3 story structure 35 feet high and over 6,200 square feet in mass, covering 49% of the lot, and which includes a 2 car garage, and 4 bedrooms plus a "bonus room" with washroom which contains 2 sinks, in addition to other rooms and design elements.

In this matter, one issue of major concern is the 35 foot building height. Add to that the 18 inches increase above the Flood Elevation Level and the structure would become even taller. The proposed structure would be substantially taller than any other surrounding dwelling, and would dwarf other dwellings.

The other height related concern is the third floor of the proposed structure. No three story homes were originally constructed in Huntington Harbour. This proposed structure would be a significant deviation from the original development, which again points to the

inappropriateness of this project in this neighborhood.

The enormity of this proposed structure causes great concern. Its footprint would consume almost one half of the lot itself, which is not in harmony with the surrounding homes, which have a smaller footprint.

More importantly, it would loom over 35 feet high, and consume over 6,200 square feet, which is almost as large as the lot itself. This is considerably more massive than even the largest homes built in this area, which do not exceed 2,800 square feet.

It is proposed to be more than **twice** the size of, and in some cases, **triple** the size of neighboring homes! Its size would overwhelm not only the neighboring dwellings, but all other existing one and two-story buildings in the immediate vicinity. It is clearly not compatible with existing homes in this neighborhood.

This proposed project is inconsistent with the Land Use Element of the General Plan of Huntington Beach. The suggested building height is not compatible with surrounding dwellings because no others have three stories, or are even close to 35 feet high, even from the street elevation. Additionally, both the bulk and the height of this proposed structure are in direct contravention to policy LU 9.2.1 because it is incompatible with the surrounding existing development.

This proposed project is also inconsistent with the General Plan insofar as the Circulation Element is concerned. The 6,200+ square foot structure is located on a cul-de-sac, which by its very character does not allow plentiful parking to begin with.

The 4 bedrooms plus "bonus room" with a double sink bathroom equates to essentially five bedrooms, which would allow 10 adults to comfortably live in the structure, which has only a two car garage. Given the fact that almost every adult in California owns a vehicle, and considering the many guests who will most certainly visit this property, the ensuing traffic congestion would place a tremendous strain on this street. This project would cause substantial parking problems were it located on a typical linear public street, but since it is located on a cul-de-sac, its impact on neighbors and their visitors would be greatly exacerbated because of the limited street parking space.

The lack of available parking would lead to drivers vying for an available close location to park their vehicles. As is typical in locations of limited parking, many persons would opt to merely park their vehicles at a 90 degree angle in front of the driveway, blocking it. Or they would choose to park behind vehicles already in the driveway, thereby blocking the sidewalk and jutting out into the street, causing a traffic hazard and blocking other vehicles and the pedestrian right of way.

Furthermore, multiple vehicles situated in the cul-de-sac and blocking driveway access could hinder fire and safety crews while attempting to perform their duties.

Because of its extraordinary mass, this proposed dwelling would block light, views and the highly desirable sea breeze from surrounding dwellings. It does not appear that a view

analysis was conducted, or "story poles" erected in order to determine if the structure would jeopardize the privacy of neighboring properties by its unobstructed views into the adjacent structures' yards.

The lack of privacy would reduce property values in those burdened properties, as those residents become less comfortable living in their dwellings and using their yards. Prospective buyers will be concerned about purchasing a property with little or no privacy, making the property less marketable.

This proposed project is at odds with the Conditional Use Permit process. Conditional Use Permits allow a city to consider special uses which may be essential or desirable to a particular community, but which are not allowed as a matter of right within a zoning district. There is no indication that a dwelling of this massive proportion is essential or desirable to the community.

As one court opinion acknowledged, "The decision to allow a conditional use permit is an issue of vital public interest. It affects the quality of life of everyone in the area of the proposed use." *Penn-Co v Board of Supervisors*, 158 Cal. App. 3d 91072m 10984 (1984). Preservation of our quality of life in Huntington Harbour is critical to our community, and this project would adversely affect the quality of life in this neighborhood based on the factors discussed in this letter.

The Urban Design Element guidelines of the General Plan focus on a number of locations within Huntington Beach with regards to design qualities. There is criticism of a number of characteristics in certain neighborhoods, but the guidelines specifically praise Huntington Harbour. The guidelines note that "...the most successful neighborhoods in the City, from the standpoint of design (such as Huntington Harbour), have a clear and appropriate architectural image." (City of Huntington Beach General Plan, Community Development Chapter Urban Design Element, II-UD-12). Allowing this dwelling to be constructed would diminish this appropriate architectural image, and with it the desirability to reside in Huntington Harbour.

This project is extremely massive, incompatible with the area, and inconsistent with the Huntington Beach General Plan. Were it built, it would have a detrimental impact on circulation, would be a burden on parking, and it would diminish the privacy of surrounding dwellings, block views, and air flow and light. For these reasons, and other related design and developmental impacts, I object to this project, and ask one or more of the Planning Commissioners to appeal the Zoning Administrators decision to the Planning Commission. Thank you for you considering my request.

Respectfully,

Mike Palikan

Mike Palikan

Mr. and Mrs. Jerry Olson
16691 Peale Lane
Huntington Beach CA 92649

APR 02 2008

March 23, 2008

City of Huntington Beach – Planning Department
2000 Main Street
Huntington Beach CA 92648

Attention: Mr. Ron Santos, Project Planner (F) 714-374-1540

RE: Conditional Use Permit No. 2007-044, April 02, 2008
Herman Residence, 3292 Falkland Circle, HB 92649

Dear Mr. Santos,

The purpose of this letter is to express my concern and disapproval of the above named property request for a habitable 3rd floor area and conditional use permit for building height exceeding 30 feet.

Thank you for your time during my visit to review the building plans and blueprints on Monday, March 31, 2008, for the above named property. The development plan for this house is beautiful and a height of 30 feet will enhance the neighborhood. However I am strongly opposed to a Conditional Use Permit for a height of 35 feet.

Declaration of Restrictions for Huntington Harbour, dated 1962, clearly restrict building above 30 feet. Please help enforce our C, C, & R's. You have the responsibility and power to uphold our building codes. Understand that I am not opposed to 3 story buildings, however these buildings should be restricted to 30 feet in height.

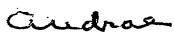
As I will be unable to attend the public hearing please understand that a 35 foot height will clearly block the wide, distant and sunset view of all surrounding properties and neighbors. This is a view which we currently enjoy and will clearly cause a visual obstruction.

Granting this variance will constitute a special privilege that no other surrounding property have and causes limitations on other property in the vicinity. In fact the property rights of surrounding properties will be restricted if the permit is approved.

Zoning administrator, please do not allow this permit request to be approved by the City, Planning Department as it will be detrimental to public welfare and injurious to surrounding properties. We stand to lose far more than gain by allowing a 3rd floor to be constructed. Our view, peace and serenity are more important to preserve than a plan that removes topographical beauty.

Thank you for representing my point of view in this matter and call me if you have further questions.

Sincerely,


Jerry Olson

ATTACHMENT NO. 3.58

Mr. and Mrs. Jerry Olson
16691 Peale Lane
Huntington Beach CA 92649

APR 02 2008

March 23, 2008

City of Huntington Beach – Planning Department
2000 Main Street
Huntington Beach CA 92648

Attention: Mr. Ron Santos, Project Planner (F) 714-374-1540

RE: Conditional Use Permit No. 2007-044, April 02, 2008
Herman Residence, 3292 Falkland Circle, HB 92649

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Zoning administrator, please do not allow this permit request to be approved by the City, Planning Department as it will be detrimental to public welfare and injurious to surrounding properties. We stand to lose far more than gain by allowing a 3rd floor to be constructed. Our view, peace and serenity are more important to preserve than a plan that removes topographical beauty.

Thank you for representing my point of view in this matter and call me if you have further questions.

Sincerely,



Jerry Olson

ATTACHMENT NO. 359

Mr. and Mrs. Daryl Phillips
16711 Peale Lane
Huntington Beach CA 92649

March 23, 2008

City of Huntington Beach – Planning Department
2000 Main Street
Huntington Beach CA 92648

Attention: Mr. Ron Santos, Project Planner (F) 714-374-1540

RE: Conditional Use Permit No. 2007-044, April 02, 2008
Herman Residence, 3292 Falkland Circle, HB 92649

Dear Mr. Santos,

The purpose of this letter is to express my concern and disapproval of the above named property request for a habitable 3rd floor area and conditional use permit for building height exceeding 30 feet.

Thank you for your time during my visit to review the building plans and blueprints on Monday, March 31, 2008, for the above named property. The development plan for this house is beautiful and a height of 30 feet will enhance the neighborhood. However I am strongly opposed to a Conditional Use Permit for a height of 35 feet.

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As I will be unable to attend the public hearing please understand that a 35 foot height will clearly block the wide, distant and sunset view of all surrounding properties and neighbors. This is a view which we currently enjoy and will clearly cause a visual obstruction.

Granting this variance will constitute a special privilege that no other surrounding property have and causes limitations on other property in the vicinity. In fact the property rights of surrounding properties will be restricted if the permit is approved.

Zoning administrator, please do not allow this permit request to be approved by the City, Planning Department as it will be detrimental to public welfare and injurious to surrounding properties. We stand to lose far more than gain by allowing a 3rd floor to be constructed. Our view, peace and serenity are more important to preserve than a plan that removes topographical beauty.

Thank you for representing my point of view in this matter and call me if you have further questions.

Sincerely,

Daryl Phillips

RECEIVED APR 01 2008

ATTACHMENT NO. 3.60



April 1, 2008

Zoning Administrator
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Via Facsimile only

Re: Public Hearing - Conditional Use Permit No. 2007-044, and
Coastal Development Permit No. 2007-018
Herman Residence - 3292 Falkland Circle, 92649
Hearing date of April 2, 2008 in Room B-8

Dear Zoning Administrator:

The Huntington Harbour Property Owner's Association ("HHPOA") objects to the approval of this project because it violates our Declaration of Limitations, Covenants, Conditions, Restrictions and Reservations ("CC& R's"), because it is not compatible with the surrounding area, because it is not consistent with the Huntington Beach General Plan, and for other reasons stated below.

The CC&R's which were recorded against and apply to this property mandate that the homeowner first obtain written approval from the Architectural Review Committee ("ARC") of the HHPOA before proceeding on their project. Despite our written request on March 13, 2008, the homeowner has ignored that request and has not submitted plans to the HHPOA.

Since we did not receive the plans, the undersigned visited the City to review them. It appears that the homeowner is proposing to erect a 3 story structure 35 feet high and over 6,200 square feet in mass, covering 49% of the lot, and which includes a 2 car garage, and 4 bedrooms plus a "bonus room" with washroom which contains 2 sinks, in addition to other rooms and design elements.

Our CC&R's address numerous issues as grading, location of the structure on the site, color scheme, finish, design, proportions, architecture, shape, height, style or appropriateness of proposed structures, materials, roof design, and any other design characteristics which would render the proposed structure inharmonious with the improvement of the property.

In regards to height, our CC&R's mandate that no dwelling which is more than one story, nor greater than 20 feet in height may be erected without the express written approval by the ARC. The purpose of these limitations is to retain the diverse character of Huntington Harbour, and to preserve the quality of life for residents.

In this matter, one issue of major concern to the HHPOA is the 35 foot building height. Add to that the 18 inches increase above the Flood Elevation Level and the structure would

Huntington Harbour Property Owners Association, Inc. • (714) 840-7877 • www.hhpoa.net
16899 Algonquin Street, Suite C, Huntington Beach, CA 92649-5608

APR 1 2008

ATTACHMENT NO. 3.61

2

become even taller. The proposed structure would be substantially taller than any other surrounding dwelling, and would dwarf other dwellings.

The other height related concern is the third floor of the proposed structure. No three story homes were originally constructed in Huntington Harbour. This proposed structure would be a significant deviation from the original development, which again points to the inappropriateness of this project in this neighborhood.

The enormity of this proposed structure causes great concern. Its footprint would consume almost one half of the lot itself, which is not in harmony with the surrounding homes, which have a smaller footprint.

More importantly, it would loom over 35 feet high, and consume over 6,200 square feet, which is almost as large as the lot itself. This is considerably more massive than even the largest homes built in this area, which do not exceed 2,800 square feet.

It is proposed to be more than twice the size of, and in some cases, triple the size of neighboring homes! Its size would overwhelm not only the neighboring dwellings, but all other existing one and two-story buildings in the immediate vicinity. It is clearly not compatible with existing homes in this neighborhood.

This proposed project is inconsistent with the Land Use Element of the General Plan of Huntington Beach. The suggested building height is not compatible with surrounding dwellings because no others have three stories, or are even close to 35 feet high, even from the street elevation. Additionally, both the bulk and the height of this proposed structure are in direct contravention to policy LU 9.2.1 because it is incompatible with the surrounding existing development.

This proposed project is also inconsistent with the General Plan insofar as the Circulation Element is concerned. The 6,200+ square foot structure is located on a cul-de-sac, which by its very character does allow plentiful parking to begin with.

The 4 bedrooms plus "bonus room" with a double sink bathroom equates to essentially five bedrooms, which would allow 10 adults to comfortably live in the structure, which has only a two car garage. Given the fact that almost every adult in California owns a vehicle, and considering the many guests who will most certainly visit this property, the ensuing traffic congestion would place a tremendous strain on this street. This project would cause substantial parking problems were it located on a typical linear public street, but since it is located on a cul-de-sac, its impact on neighbors and their visitors would be greatly exacerbated because of the limited street parking space.

The lack of available parking would lead to drivers vying for an available close location to park their vehicles. As is typical in locations of limited parking, many persons would opt to merely park their vehicles at a 90 degree angle in front of the driveway, blocking it. Or they would choose to park behind vehicles already in the driveway, thereby blocking the sidewalk and jutting out into the street, causing a traffic hazard and blocking other vehicles and pedestrian right of way.

Because of its extraordinary mass, this proposed dwelling would block light, views and the highly desirable sea breeze from surrounding dwellings. It does not appear that a view analysis was conducted, or "story poles" erected in order to determine if the structure would jeopardize the privacy of neighboring properties by its unobstructed views into the adjacent structures' yards.

The lack of privacy would reduce property values in those burdened properties, as those residents become less comfortable living in their dwellings and using their yards. Prospective buyers will be concerned about purchasing a property with little or no privacy, making the property less marketable.

This proposed project is at odds with the Conditional Use Permit process. Conditional Use Permits allow a city to consider special uses which may be essential or desirable to a particular community, but which are not allowed as a matter of right within a zoning district. There is no indication that a dwelling of this massive proportion is essential or desirable to the community.

As one court opinion acknowledged, "The decision to allow a conditional use permit is an issue of vital public interest. It affects the quality of life of everyone in the area of the proposed use." *Penn-Co v Board of Supervisors*, 158 Cal. App. 3d 091072m 10984 (1984). Preservation of our quality of life in Huntington Harbour is critical to our community, and this project would adversely affect the quality of life in this neighborhood based on the factors discussed in this letter.

The Urban Design Element guidelines of the General Plan focus on a number of locations within Huntington Beach with regards to design qualities. There is criticism of a number of characteristics in certain neighborhoods, but the guidelines specifically praise Huntington Harbour. The guidelines notes that "...the most successful neighborhoods in the City, from the standpoint of design (such as Huntington Harbour), have a clear and appropriate architectural image." (City of Huntington Beach General Plan, Community Development Chapter Urban Design Element, II-UD-12). Allowing this dwelling to be constructed would diminish this appropriate architectural image, and with it the desirability to reside in Huntington Harbour.

Because this project does not conform to our CC&R's, because of its massive size, incompatibility with the area, inconsistency with the Huntington Beach General Plan, detrimental impact on circulation, and burden on parking, because it would diminish the privacy of surrounding dwellings, block views, air flow and light, and other related design and developmental impacts, we object to this project, in order to preserve our rights as well as the rights of all homeowners subject to our CC&R's. Thank you for you considering our objection.

Respectfully,



Mike Palikan

Mike Palikan
Architectural Review Committee

[Signature]

800100

Daryl Phillips
16711 Peale Lane
Huntington Beach CA 92649

City of Huntington Beach

March 23, 2008

MAR 28 2008

City of Huntington Beach – Planning Department
2000 Main Street
Huntington Beach CA 92648

Attention: Mr. Andrew Gonzales, Project Planner (F) 714-374-1540

RE: Conditional Use Permit No. 2007-044, April 02, 2008
Coastal Development Permit No. 2007-018
Herman Residence, 3292 Falkland Circle, HB 92649

Dear Mr. Gonzales,

The purpose of this letter is to express my concern and disapproval of the above named property request for a habitable 3rd floor area and deck, variance and conditional use permit.

As I will not be able to attend the public hearing please understand that I am not opposed to development and general area improvement plans, however a 35 foot height will clearly block the wide, distant and sunset view of all surrounding properties and neighbors. This is a view which we currently enjoy.

Granting this variance will constitute a special privilege that no other surrounding property have and causes limitations on other property in the vicinity. Several properties have height to 30 feet which is within acceptable city and coastal codes.

Denial of this permit and variance will not deprive the above stated property of any privileges because no other property is built above a height of 30 feet. In fact the property rights of surrounding properties will be restricted if the permit and variance are approved.

Zoning administrator, please do not allow this permit request to be approved by the City, Planning Department or Coastal Commission as it will be detrimental to public welfare and injurious to surrounding properties. We stand to lose far more than gain by allowing a 3rd floor room and deck to be constructed. Our view, peace and serenity are more important to preserve than a plan that removes topographical beauty.

Thank you for representing my point of view in this matter. Please contact me if you have further questions or concerns.

Sincerely,



Daryl Phillips (H) 562-592-2193, (C) 562-253-1673

ATTACHMENT NO. 3.64

Daryl Phillips
16711 Peale Lane
Huntington Beach CA 92649

March 15, 2008

City of Huntington Beach - Planning Department
2000 Main Street
Huntington Beach CA 92649

City of Huntington Beach
MAR 18 2008

✓ Attention: Mr. Andrew Gonzales, Project Planner (F) 714-374-1540

RE: Conditional Use Permit NO. 2007-044, March 19, 2008
Coastal Dev Permit NO. 2007-018
Herman Residence: 3292 Falkland Circle, HB 92649

Dear Mr. Gonzales,

The purpose of this letter is to express my concern and disapproval of the above mentioned property request for a 3rd story deck.

As I will be out of town on the hearing date and unable to express my point, please understand that 35 feet is just too high and will clearly block the view of all the surrounding neighbors, a clear, wide, distant and sunset view that we currently enjoy.

Granting of this variance will constitute a special privilege that no other nearby properties have and causes limitations on other properties in the vicinity. Many properties have height to 30 feet, which is within city code and acceptable.

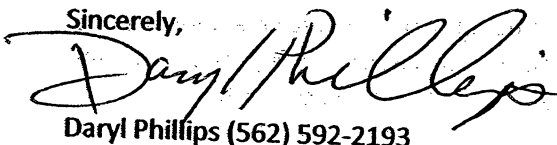
Granting of this conditional use permit and variance and allowing extended building height of 35 feet will not deprive the subject property of privileges that surrounding properties have, because no other properties share this type of variance or building height.

Granting of this variance will in fact restrict the property rights of other surrounding properties.

Please do not allow this permit and variance to be approved by the city or planning department as it will be detrimental to public welfare and injurious to surrounding properties. We stand to lose far more than we can gain by allowing this 3rd floor deck to be built. Our view, peace and serenity are far more important to preserve than a plan that removes our topographical beauty. In a declining real estate market our property values will decline more with this type of detrimental development.

Thank you for representing my point of view in this matter. Contact me at any time if you have further questions or concerns.

Sincerely,


Daryl Phillips (562) 592-2193

ATTACHMENT NO. 3.45



March 12, 2008

Zoning Administrator
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Via Facsimile only

Re: Public Hearing - Conditional Use Permit No. 2007-044, and
Coastal Development Permit No. 2007-018
Herman Residence - 3292 Falkland Circle, 92649
Hearing date of March 19, 2008 in Room B-8

Dear Zoning Administrator:

The Huntington Harbour Property Owner's Association ("HHPOA") has learned that the above-referenced homeowner has applied for Coastal Development and Conditional Use Permits. The HHPOA objects to this application because it has not received a plan submittal as required by the Declaration of Covenants, Conditions, Restrictions and Reservations ("CC&R's") and because this project may exceed the minimum limitations set forth in the CC&R's.

The CC&R's which were recorded against and apply to this property mandate that the homeowner must first obtain written approval from the Architectural Review Committee ("ARC") of the HHPOA before proceeding on their project. This is probably just an oversight by the homeowner, so therefore we ask for further cooperation with our review program, and that he/she submits their project plans to us for approval as required.

However, since we have not yet received the plans, and in order to preserve our rights and the rights of all homeowners subject to the CC&R's, we must respectfully object to this project until plans are submitted and approved by the ARC. To that end, we request a comminence of this matter until the ARC has received the plans from the homeowner.

We invite the homeowner to contact us by phone should there be any questions. The homeowner may reach the ARC at our office, located at 10577 Argonaut Street, Suite "C", Huntington Beach, CA, 92649. Upon receipt, we will promptly review the project. Thank you for your considering our objection.

Yours truly,

Mike Palikan
Architectural Review Committee

City of Huntington Beach

MAR 12 2008

Huntington Harbour Property Owners Association, Inc. • (714) 840-7877 • www.hhpoa.net
10577 Argonaut Street, Suite C, Huntington Beach, CA 92649-5408

*FAX RECEIVED ON MARCH 12, 2008
COPY IS ILLEGIBLE.

ATTACHMENT NO. 3.666

June 4, 2008

City Commissioners and Planning Department
City of Huntington Beach, CA

RE: 3292 Falkland Circle, CUP No. 2007-044 / CDP No. 2007-018

Dear Commissioners and Planning Department:

We are the owners of 3292 Falkland Circle. It has been brought to our attention that recently some objections have been made to the 6,164 sq ft planned home in which we are in the final stages of the approval process. We are well within reason of the confines of the code and we meet the 3rd story floor ordinance regulations as well. We write this letter to inform you of the reasons in which we feel quite strong against the appeal and that any decisions made by the Commission against our project, will adversely affect the future of our project, not benefiting the Harbour in a time when it is needed. We also feel that we are potentially being discriminated against due to the fact there are several homes that are as large, or larger; and have a 3rd floor too, just as we are striving to build.

We are well within the confines of the code with the current design of the home. On April 14, 2008, a Commissioner objected to our proposed home that was conditionally approved on April 2, 2008 by the Zoning Administrator for CUP No 2007-044 and CDP No 2007-018. The main principle of the argument was that the other homes on the street are between 2,300-2,700 square feet and that the proposed subject will not conform to the neighborhood. This is true in regards to the sizes of the homes on our street (with the exceptions of 3281 and 3271 Falkland Circle which are 4,000 and 3,500 square feet respectively), however, the Commissioner fails to mention that the rest of these homes on our street were built in 1963 and 1964. To compare a 2009 new build with a 1963 build is not reasonable. In Huntington Harbour, there are an abundant amount of homes comparable in size to ours. Below, we have specifically named two locations that are comparable to ours just on Admiralty Island, which is our neighborhood. They are:

1. **3352 Bounty Circle.** Just completed in March 2008. 6,200 square feet plus.
2. **16622 Somerset Lane.** This is a 5,700 square foot home built in 1993 on a 6,000 square foot lot.
3. **3322 Easter Circle.** This is a 5,600 square foot home that is not in the corner, but in the middle of the street at the end of the Cul-de-sac. This is the adjacent street.

The HOA, a neighbor, and the Commissioner mainly object to the size of the home. We are within the 3rd story ordinance and in fact there are several houses close by that do have a 3rd story. The closest and most relevant comparable is the approved home located next door to our site, 3282 Falkland. This home is approved at a height of 34 feet. Our proposed height is 35 feet, but our corner lot size and home is proportionately bigger, conforming to the lot's shape and size, set back quite a ways from the street due to the natural shape of the corner lot. The other houses in a very close proximity that have a 3rd story are:

City of Huntington Beach

JUN 09 2008

ATTACHMENT NO. 3.67

1. **3342 Bounty Circle.** This is located in Admiralty Island and is about 3 streets North of our subject property.
2. **16391 Ardsley Circle.** This is in Humboldt Island, which is a 5,200 square foot home and only 65 feet of dockage versus our 6,100 square foot proposed and 131 feet of dockage.
3. **4002 S. Ondine Circle.** This has a particularly large 3rd floor in a very tight situation. It is fairly close proximity, but not as close as the first two comps.


Other homes worth noting in the Harbour that are all 3- stories and comparable in size and proportion to what we are building are:

1. **16812 Baruna Lane.** This is a 3-story home that is 5,000 square feet on a 5,000 square foot lot.
2. **16861 Bolero Lane.** This is a 3-story home that MLS states as being 6,429 square feet, but MLS also states the Lot size is smaller than the homes square footage.
3. **16582 Ensign Circle.** This is a 3- story home that is 4,986 square feet on a 4,930 square foot lot. This is very close in proximity to the subject as it is on Humboldt Island.
4. **16731 Carousel Lane.** This is a 3-story home that is approximately 5,500 square feet on a 5,500 square foot lot.

The Commission will adversely affect our project with any further limitations placed upon our proposed project. We don't need to get into the details, but we all are aware of the current economical downturn. If our project gets cut further, it will become extremely difficult for us to proceed because the numbers will be in the red if we are building on a smaller square footage basis. We look at this project as having a direct positive impact on the Harbour. Each and every new build brings up the reputation as one of the older homes is replaced. With the economic downturn, there will be substantially less new builds taking place. We are looking to work through the downturn to help stimulate the growth and maintain the improvements Huntington Harbour has seen in recent years. But with all of the negative economy talk aside, our project is still within the confines of the code.

It is projects like this that are the building blocks of the revitalization of the Harbour's reputation. We trust you will carefully consider your decision and thank you for your time.

Sincerely,



Jason Radwan
(949) 235-0369 cell
(949) 861-6899 fax

Dr. Stephen P. Herman
(714) 401-9901 cell

City of Huntington Beach
JUN 09 2008

Gonzales, Andrew

From: Greg Howell [greg@skyviewhomes.com]
Sent: Monday, May 19, 2008 12:28 PM
To: Gonzales, Andrew
Subject: Re: Falkland Appeal

May 16, 2008

Dear Mr. Gonzales,

The property owners of 3292 Falkland Circle, Stephan Herman and Jason Radwan, would like to request a continuance for consideration by the Planning Department and Planning Commission of Coastal Development Permit No. 2007-018 and Conditional Use Permit No. 2007-044 to the Tuesday, June 24, 2008, Planning Commission public hearing. A continuance from May 27th to the June 24th public hearing is desired to provide ample time with preparing supporting documents and drawing that will assist in the review and determination of the entitlement requests. The prescheduled public hearing date will not provide the time needed to coordinate and gather such items. Therefore, please consider rescheduling this item for an additional four (4) week.

Thank you,
Greg Howell
Sky View Designs

City of Huntington Beach

MAY 19 2008

DRAFT

B. PUBLIC HEARING ITEMS

- B-1. COASTAL DEVELOPMENT PERMIT NO. 07-18/CONDITIONAL USE PERMIT NO. 07-44 (APPEAL – HERMAN RESIDENCE – CONTINUED FROM THE MAY 27, 2008 MEETING)** Applicant: Greg Howell Appellant: Commissioner John Scandura Request: CDP: To permit the demolition of an existing dwelling and construction of an approximately 6,208 sq. ft., 35 ft. tall single-family dwelling with a 602 sq. ft. attached garage; CUP: To permit a single-family dwelling with (a) an approximately 1,107 sq. ft. 3rd floor habitable area, (b) an approximately 148 sq. ft. third story deck, and (c) an overall building height exceeding 30 ft. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/ privacy issues, such as window alignments, building pad height, and floor plan layout. Location: 3292 Falkland Circle, 92649 (terminus of Falkland Circle, east of Channel Lane) Project Planner: Andrew Gonzales

STAFF RECOMMENDATION: Motion to: "Approve Coastal Development Permit No. 07-018 and Conditional Use Permit No. 07-044 with findings and suggested conditions of approval (Attachment No. 1)."

The Commission made the following disclosures:

- Commissioner Farley attended the Study Session on June 10, 2008 and has visited the site.
- Commissioner Dwyer has listened to the audio of the June 10th Study Session and has visited the site.
- Chair Livengood has visited the site, attended the Study Session and spoken to staff.
- Commissioner Shaw attended the Study Session and has spoken to staff.
- Commissioner Speaker has visited the site, attended the Study Session and spoken to staff.
- Commissioner Scandura has spoken to Councilman Gil Coerper as well as Mike Palikan of the Huntington Harbour Property Owners Association. Scandura has also attended the Study Session, spoken to staff, visited the site and viewed the property (and adjacent properties) on the Multiple Listing Service.

Assistant Planner Andrew Gonzales gave a Powerpoint presentation of the proposed project.

Commissioner Speaker asked staff how many homes in Huntington Harbour were approved at a height of 30 to 35 ft., and staff replied that there are several and estimated that there are more than twelve.

Commissioner Scandura asked if the number of bedrooms of the proposed project would equal the number of parking spaces and staff said yes. Scandura also noted that it is the purview of the Planning Commission to act upon the February 7, 2008 plans previously provided and not to make a decision based upon the revised plans dated June 14, 2008.

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Andrew Gonzales noted that the difference in the two sets of plans is in sections A.4 and A.9, noting that the revised set of plans reflects a setback that complies with the suggested conditions of approval, based on a preliminary plan check. Chair Livengood asked if the Planning Commission could approve the February 7, 2008 plans with the suggested condition of approval that the setback be included, and staff said yes.

Planning Manager Herb Fauland noted a Late Communication from Skyview Designs (applicant) received June 23, 2008.

THE PUBLIC HEARING WAS OPENED.

Elizabeth Howell, applicant, spoke in favor of Item No. B-1, and said that no architectural features would extend beyond 35' in height.

Dr. Stephen Herman, property owner, spoke in favor of Item No. B-1, noting that the property would be a single-family residence and would not be converted into a multi-family residence.

Greg Howell, applicant, spoke in favor of Item No. B-1.

Alicia Dose, resident, spoke against Item No. B-1, noting that she felt the proposed home would be too large and not in character with the adjacent residences.

Daryl Phillips, resident, spoke against Item No. B-1, due to his concerns with excessive height and the lack of parking. He asked the Planning Commission to deny this Conditional Use Permit.

Dorothy Ralphs, President of the Huntington Harbour Property Owners Association (HHPOA) said that she would be in favor of a three-story home, but not one that exceeds 30' in height.

Mike Palikan of the HHPOA, spoke in opposition of Item No. B-1; he gave a PowerPoint presentation and expressed his concerns with the size of the proposed 6,200 sq. ft. home. He asked the Planning Commission to deny this Conditional Use Permit.

WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.

Commissioner Scandura said that the proposed home will be approximately 40% larger than neighboring homes. He has concerns with the large mass and bulk of the proposed building and feels that this house would be maximizing the provisions of the code instead of complementing the neighborhood. He also said that he considered appealing 3282 Falkland Circle, but feels that home is a good design, while the subject property would be too large and a visual domination in the neighborhood.

Commissioner Speaker said that he feels the proposed building is too large for its location.

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Commissioner Shaw agreed with Commissioner Scandura and thanked staff for their efforts on this project.

Commissioner Farley noted that the proposed project complies with the zoning code and applicable ordinances, Farley then asked what tools the Planning Commission should use in order to determine whether or not to approve the Conditional Use Permit. Staff replied the zoning ordinance, the General Plan and the necessary findings.

Commissioner Dwyer concurred with Commissioner Farley's comments and stated that he thinks the Planning Commission should base their decision on compliance with the Zoning Code.

Chair Livengood mentioned that he was surprised that there were no comments from the neighbors on Falkland Circle in Huntington Harbour.

Commissioner Scandura noted that although no comments were received from the neighbors on Falkland, letters of opposition were received from the neighbors at nearby Peale Lane. He recommended that the applicant resubmit plans that are scaled back at minimum 1,000 square feet.

Commissioner Scandura also asked what would happen if the Planning Commission takes a vote and there's a 3-3 tie; Planning Director Scott Hess said in that instance, the motion would fail.

A MOTION WAS MADE BY FARLEY, SECONDED BY DWYER, TO APPROVE COASTAL DEVELOPMENT PERMIT NO. 07-018 AND CONDITIONAL USE PERMIT NO. 07-044 WITH FINDINGS AND SUGGESTED CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

AYES:	Farley, Dwyer, Livengood
NOES:	Shaw, Speaker, Scandura
ABSENT:	Shier-Burnett
ABSTAIN:	None

MOTION FAILED

Commissioner Scandura said that he would like to see a reduction of the sheer wall size, a smaller bonus room and attic, the overall height scaled back to 30' and the garage to be setback. Director Scott Hess responded that there must be clear and specific direction on suggested changes in order to impose Conditions of Approval for revisions.

Commissioner Dwyer noted that this item has been approved by the Zoning Administrator and asked what the Planning Commission would be voting on; Director Scott Hess responded that when an item is appealed, it is then considered a new item and the entire project is under review.

Chair Livengood asked the applicant if they would like a continuance of this item, and the applicant stated that the redesign would require 30 days and asks for a 60 day continuance. Herb Fauland, Planning Manager, requested that this project be re-noticed in the event of a four-week or longer continuance.

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Director Scott Hess reiterated the suggested changes recommended by the Planning Commission: more articulation in the northern elevation of the building, the attic space and the overall third floor area reduced, and the overall height reduced by two to three feet.

Commissioner Farley noted that the Planning Commissioners should be specific and exact in their requests regarding proposed changes to this project.

Planning Manager Herb Fauland suggested that if the Item is continued, the item should be scheduled for the Planning Commission Study Session of August 25, 2008 and then to the September 9, 2008 Public Hearing, in order for the applicant to provide re-designed plans for review to staff. Applicant Greg Howell agreed to this timeline.

A MOTION WAS MADE BY LIVENGOD, SECONDED BY SPEAKER, TO CONTINUE COASTAL DEVELOPMENT PERMIT NO. 07-018 AND CONDITIONAL USE PERMIT NO. 07-044 TO THE AUGUST 26, 2008 PLANNING COMMISSION STUDY SESSION AND THEN TO THE SEPTEMBER 9, 2008 NOTICED PUBLIC HEARING, BY THE FOLLOWING VOTE:

AYES:	Livengood, Shaw, Speaker, Scandura
NOES:	Farley, Dwyer
ABSENT:	Shier-Burnett
ABSTAIN:	None

MOTION APPROVED

C. CONSENT CALENDAR

C-1. PLANNING COMMISSION MINUTES DATED MARCH 11, 2008

RECOMMENDED ACTION: Motion to: "Approve the March 11, 2008, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY DWYER, SECONDED BY SHAW, TO APPROVE THE PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

AYES:	Farley, Dwyer, Livengood, Shaw, Speaker, Scandura
NOES:	None
ABSENT:	Shier-Burnett
ABSTAIN:	None

MOTION APPROVED

D. NON-PUBLIC HEARING ITEMS - NONE

08/27/08

Norma Cowles
3301 Falkland Circle
Huntington Beach, Ca. 92649

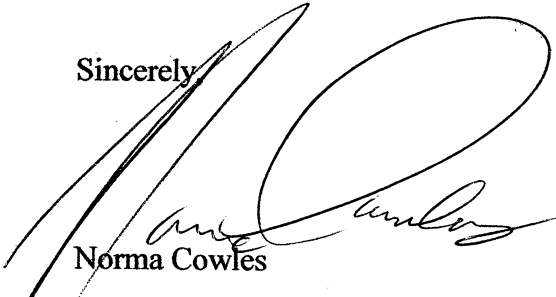
City of Huntington Beach

AUG 28 2008

City of Huntington Beach
Notice of Public Hearing
Regarding Permit No. 07-018 and Conditional use permit #07-055
Location: 3292 Falkland Circle. H.B.92649

I am under medical care at this time and I am unable to attend the hearing Date of Sept. 9, 2008 so I am writing to state that this should not go forward as the owner Herman Residence is in violation with the Coastal Commission as they have drilled and put in two post into the water without approval from the Coastal Commission and City of Huntington Beach.. How can you approve any part of this when the owners /Residence is in violation.

Sincerely,



Norma Cowles

cc California Coastal Commission

8/28/08
cc- PL x 7
SH
HF
AG

ATTACHMENT NO. 5.1

08/27/08

Debbie Grani
3302 Gilbert Dr.
Huntington Beach, Ca. 92649

City of Huntington Beach

AUG 28 2008

City of Huntington Beach
Notice of Public Hearing
Regarding Permit No. 07-018 and Conditional use permit #07-055
Location: 3292 Falkland Circle. H.B.92649

I am out of Town at the hearing Date of Sept. 9, 2008 so I am writing to state that this should not go forward as the owner Herman Residence is in violation with the Coastal Commission as they have drilled and put in two post into the water without approval from the Coastal Commission and City of Huntington Beach.. How can you approve any part of this when the owners /Residence is in violation.

Sincerely,



Debbie Grani

8/28/08

cc- PC x 7

SH

HF

AG

ATTACHMENT NO. 5.2